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DEMOSTHENES
AGAINST MIDIAS

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Demosthenes /

ΔΗΜΟΣΘΕΝΟΥΣ ΚΑΤΑ ΜΕΙΔΙΟΥ
ΠΕΡΙ ΤΟΥ ΚΟΝΔΥΛΟΥ

DEMOSTHENES
AGAINST MIDIAS

WITH CRITICAL AND EXPLANATORY NOTES
AND AN APPENDIX

BY

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PREFACE.

THE oration of Demosthenes against Midias has a unique interest for scholars as the only existing argument in a case of προβολή. This peculiar process of the Attic law was chiefly distinguished by a preliminary appeal to the public Assembly against an offender who had outraged public decency by some act which was felt to be an insult to the sovereign δῆμος. Such an act was the brutal assault of Midias upon Demosthenes in the Dionysiac theatre at the great Dionysiac festival, one of the most solemn ceremonies of Athens, when the orator was officiating as choregus. The people showed that they felt the outrage to be of this character when they passed the vote of προβολή condemning Midias without dissent. This was as severe a condemnation as could be passed upon a rich and powerful citizen like Midias, who habitually defied public opinion and the laws of decency in his treatment of men whom he affected to despise. On such extraordinary occasions the assembled people expressed their feelings without restraint in the excitement of the moment, knowing that their vote of condemnation was not a judicial act and that no punishment could be inflicted on the offender except by a regularly constituted court of law after formal trial and conviction.

Midias appears to have done nothing to oppose the violence of the popular wrath which immediately followed the assault, and his friends (like Eubulus) declined even to give their silent votes against the προβολή. But after a year had elapsed and the popular excitement was quieted, it was much easier for Midias and his many powerful friends to create a new public

opinion adverse to enforcing the popular vote by a judicial sentence. We hear little of any change in the public sentiment; we know only that Demosthenes was urgently besought by friends of Midias to abandon his suit, while Midias himself was willing to pay liberally to escape a trial, and that Demosthenes after many indignant refusals finally decided not to bring his suit into court, and accepted half a talent as a gift from Midias.

There were other influences at that time which were stronger in the mind of Demosthenes than the fear of a defeat in his lawsuit. The year 349 B.C., in which the suit was dropped shortly before it would have come to trial (see p. 134), was an eventful period in the early public life of Demosthenes. His ambition was then set on far higher matters than avenging his private wrongs. He had recently delivered the First Philippic, and the Olynthiacs were already in his mind, while the threatening movements of Philip in the North were doubtless of far greater concern to him than the assault of Midias. A defeat in the προβολή, after his decisive victory of the previous year, would have been a heavy blow to his public hopes; and even a second decisive victory over Midias would have left behind it animosities which might have seriously endangered his political success. His first and greatest struggle was to unite the people of Athens at once in opposition to Philip, and he could not afford to alienate any men of influence at this critical moment. This view of the case may perhaps explain the paltry sum of thirty minas which Demosthenes is said to have received from Midias as the price of abandoning his προβολή. It would have been worse than unwise for a rising statesman to accept a large sum of money as a reward from a man like Midias; and it may be that he consented to receive only what was honestly due to him for the trierarchy forced upon him by Midias and his brother (20 minas), and for the damages in the δίκη κακηγορίας (§ 89[1]) which had never been paid by Midias (10 minas).

In preparing the notes, I have referred constantly to the editions of H. Weil (Paris, 1883) and J. R. King (Oxford, 1901), and sometimes to Buttmann's notes and index. I have also followed the dreary mass of notes on the oration which fill 195 pages of G. H. Schaefer's *Apparatus ad Demosthenem* (1826):

it is suggestive of the changed tone of modern scholarship that so few of these notes are of value or interest now. I have been greatly aided by A. Schaefer's *Demosthenes und seine Zeit* (second edition) and Boeckh's *Staatshaushaltung der Athener* (third edition) with Fränkel's notes. References to Grote's vol. VIII. are to the second edition, those to other volumes are to the first edition.

In the Appendix, after a statement of the argument and a brief historical introduction, I have given some account of various matters with which the oration is concerned. Besides discussing the choregia and the trierarchy, I have alluded briefly to the other λητουργίαι, most of which are mentioned in the oration. I have attempted to illustrate the peculiar character of the προβολή by treating it in connection with the εἰσαγγελία and with other special forms of public suits in which the authority of the state appears in various ways contrary to the general principle of the Attic law, by which the prosecutor in a public suit was not the government (as in the English law) but an individual citizen.

In grammatical matters, I have avoided many discussions by references to my *Syntax of the Greek Moods and Tenses* (M. T.), and I have occasionally referred to my *Greek Grammar* (G.). I have attempted here, as in my edition of *De Corona*, to give such grammatical help as students might need for a full understanding of the text, without using the oration to teach Greek syntax.

W. W. GOODWIN.

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ΔΗΜΟΣΘΕΝΟΥΣ ΚΑΤΑ ΜΕΙΔΙΟΥ

ΥΠΟΘΕΣΙΣ

'ΕΟΡΤΗΝ ἦγον οἱ Ἀθηναῖοι Διονύσῳ, ἣν ἐκάλουν ἀπὸ τοῦ θεοῦ Διονύσια· ἐν δὲ ταύτῃ τραγικοὶ καὶ κωμικοὶ καὶ αὐλητῶν χοροὶ διηγωνίζοντο. καθίστασαν δὲ τοὺς χοροὺς αἱ φυλαὶ δέκα τυγχάνουσαι· χορηγὸς δὲ ἦν ἑκάστης φυλῆς ὁ τὰ ἀναλώματα παρέχων τὰ περὶ τὸν χορόν. ὁ τοίνυν Δημοσθένης τῆς ἑαυτοῦ φυλῆς, τῆς Πανδιονίδος, ἐθελοντὴς ὑπέστη χορηγός. ἐχθρῷ δὲ κεχρημένος τῷ Μειδίᾳ, τῶν πλουσίων ἑνὶ, φησὶ μὲν καὶ ἄλλα παρὰ τὴν χορηγίαν αὐτοῦ πεπονθέναι κακῶς, τὸ δὲ τελευταῖον ἐπὶ τῆς ὀρχήστρας κονδύλους ἔλαβεν ἐναντίον πάντων τῶν θεατῶν. ἐπὶ τούτῳ κατηγόρησεν ἐν τῷ δήμῳ τοῦ Μειδίου ὡς ἠσεβηκότος εἰς τὴν ἑορτὴν καὶ τὸν Διόνυσον· ἐκαλεῖτο δὲ ἡ τοιαύτη κατηγορία προβολή. ὁ μὲν οὖν δῆμος κατέγνωκε τοῦ Μειδίου τὴν ἀσέβειαν, ἀγωνίζονται δὲ νῦν ἐν δικαστηρίῳ περὶ τῆς τοῦ δήμου καταχειροτονίας· ἔδει γὰρ καταγνόντος τοῦ δήμου δικαστήριον κρῖναι δεύτερον. ἔστιν οὖν ὁ ἀγὼν περὶ ὑποτιμήσεως· οὐ γὰρ περὶ τοῦ μηδὲν ἀδικεῖν ὁ Μειδίας ἀγωνίζεται, ἀλλὰ περὶ τοῦ τιμήματος, πότερον ὕβρεως ἢ ἀσεβείας ὀφείλει δίκην. ὁρικὸς οὖν ὁ λόγος τῇ στάσει, τοῦ μὲν Μειδίου λέγοντος ὕβριν εἶναι τὸ πραχθὲν, ἐπειδὴ τετύπτηκεν ἄνδρα ἐλεύθερον, τοῦ δὲ Δημοσθένους ἀσέβειαν, ἐπειδὴ χορηγὸς ὁ τετυπτημένος καὶ ἐν Διονυσίοις καὶ ἐν τῷ θεάτρῳ· διὰ γὰρ τούτων καὶ ἠσεβηκέναι τὸν Μειδίαν φησίν· ὡς εἶναι διπλοῦν ὅρον κατὰ σύλληψιν. ἔστι δὲ κατὰ σύλληψιν, ὅταν μὴ ἐκβάλλοντες τὸ ὑπὸ τῶν ἀντιδίκων εἰσαγόμενον ὄνομα καὶ ἕτερον αὐτῷ προστιθῶμεν, ὥσπερ ἐνταῦθα ὁ Δημοσθένης, τοῦ Μειδίου λέγοντος ὑβρικέναι, οὐκ ἐκβάλλει μὲν οὐδὲ τὴν ὕβριν, προστίθησι δὲ αὐτῇ καὶ τὴν ἀσέβειαν.

509 1 2 3

ΑΛΛΩΣ

510

Διάφοροι παρ' Ἀθηναίους ἤγοντο ἑορταί, ἐν αἷς ἦν τὰ Παναθήναια, ἅπερ ἦσαν διπλᾶ, μικρά τε καὶ μεγάλα· καὶ τὰ μὲν μεγάλα κατὰ πενταετηρίδα ἐπετελοῦντο, κατὰ τριετηρίδα δὲ τὰ μικρά. ἐν τοῖς μεγάλοις δὲ γυμνάσιά τινα ἐγίνοντο, καὶ προὐβάλλετο ἀφ' ἑκάστης φυλῆς εἷς γυμνασίαρχος, λαμβάνων χρήματα εἰς τὸ γυμνάζειν τοὺς μέλλοντας ἐπιτελέσαι τὴν ἑορτήν, καὶ διδόναι τὰς
2 τούτων δαπάνας τοῖς τῆς αὐτοῦ φυλῆς. ἤγετο δὲ παρ' αὐτῶν καὶ τὰ Διονύσια, καὶ ταῦτα διπλᾶ, μικρά τε καὶ μεγάλα. καὶ τὰ μὲν μικρὰ ἤγετο κατ' ἔτος, τὰ δὲ μεγάλα διὰ τριετηρίδος ἐν τοῖς ληνοῖς, ἐν οἷς προὐβάλλετο χορηγὸς ἀφ' ἑκάστης φυλῆς πρὸς τὸ τρέφειν χοροὺς παίδων τε καὶ ἀνδρῶν· ἐλάμβανε δὲ χρήματα εἰς τροφὴν τῶν τοῦ χοροῦ. ἐπιστάσης δὲ τῆς ἑορτῆς ἠγωνίζοντο πρὸς ἀλλήλους οἱ χορηγοὶ καὶ ἤριζον, ὕμνους εἰς τὸν Διόνυσον ᾄδοντες, καὶ τῷ νικῶντι τρίπους τὸ ἆθλον ἦν, ἐπειδὴ τὸν αὐτὸν Ἥλιον καὶ Ἀπόλλωνα καὶ Διόνυσον ᾤοντο. παυομένης δὲ τῆς ἑορτῆς ἐν τῷ
3 πρώτῳ μηνὶ προὐβάλλοντο οἱ χορηγοὶ τῆς μελλούσης ἑορτῆς. ἐν τοίνυν τῷ παρόντι καιρῷ προεβλήθησαν οἱ χορηγοὶ ἑκάστης φυλῆς, ἐσπάνιζε δὲ ἡ Πανδιονὶς, ἡ τοῦ Δημοσθένους φυλὴ, χορηγοῦ, καὶ ἠμέλησε τὸ πρῶτον ἔτος, τὸ δεύτερον, τὸ τρίτον. ἔθος δὲ ἦν πρὸ μηνὸς τῆς ἑορτῆς τὸν ἄρχοντα συνάγειν τοὺς χορηγοὺς ἑκάστης φυλῆς εἰς τὸ λαχεῖν περὶ τῶν αὐλητῶν, καὶ ἐλθόντων τῶν χορηγῶν ἑκάστης φυλῆς πλὴν τῆς Πανδιονίδος ηὐτελίζετο ὑπὸ πάντων. καὶ ἰδὼν ὁ Δημοσθένης τὴν ἑαυτοῦ φυλὴν ἀτιμαζομένην ἐθελοντὴς
ὁ ῥήτωρ αὐτοχειροτόνητον ἤτοι αὐτεπάγγελτον ἑαυτὸν χορηγὸν 511
ὑπὲρ τῆς φυλῆς προεβάλετο, καὶ ἐπῃνεῖτο παρὰ πάντων διὰ τοῦτο.
4 καὶ δὴ λαχόντος αὐτοῦ περὶ τῶν αὐλητῶν συνέπραξεν ἡ τύχη τῇ προθυμίᾳ, καὶ ἔλαχεν αὐτῷ ὁ κάλλιστος τῶν αὐλητῶν ὁ Τηλεφάνης. καὶ δὴ ὁ Δημοσθένης θέλων πλέον τῶν ἄλλων κοσμῆσαι τὸν ἑαυτοῦ χορὸν ἐποίησεν αὐτοὺς φορέσαι χρυσοῦς στεφάνους. Μειδίας δὲ, τῶν πολιτευομένων τις, σφόδρα πλούσιος καὶ πολλὰ δυνάμενος, ἐχθρὸς τῷ Δημοσθένει γεγονὼς διὰ τὰς αἰτίας ἃς ἐρεῖ μετὰ μικρὸν ἐν τῷ λόγῳ, πολλάκις καὶ ἄλλα παρηνώχλει καὶ ἐπηρέαζε, καὶ δὴ καὶ, ὡς ὁ Δημοσθένης λέγει, ὅτι ὀμνυόντων τῶν κριτῶν τῷ καλῶς ᾄσαντι δοῦναι τὴν νίκην, νύττων αὐτοὺς ὁ Μειδίας ἔλεγε "πλὴν
5 Δημοσθένους·" ὅθεν ὁ Δημοσθένης ἐβόα ἐλέγχων αὐτόν. καὶ τελευτῶν εἰς τοιαύτην ἦλθε μανίαν ὁ Μειδίας ὥστε ἐν τῷ θεάτρῳ κόνδυλον αὐτῷ παρασχεῖν καὶ τὴν ἱερὰν περιρρῆξαι ἐσθῆτα. καὶ

ἰδὼν ὁ δῆμος ἐπεσύριττεν· ὅστις συρισμὸς παρὰ τοῖς παλαιοῖς ἐπὶ κακοῦ ἐλαμβάνετο. ἀπελθὼν δὲ ὁ Δημοσθένης ἐσκέψατο τὸν παρόντα λόγον, κατηγορῶν αὐτοῦ δημοσίων ἀδικημάτων· ἐν ᾧ καὶ διαβάλλει τὸν Μειδίαν ὡς κλέψαντα τῶν χρυσῶν στεφάνων ἀπὸ τοῦ χρυσοχόου. ἄγει τοίνυν αὐτὸν ἐπὶ τὴν κρίσιν ὁ ῥήτωρ, 6
καταφορᾷ πλείστῃ καὶ τόνῳ σφοδρῷ προσχρησάμενος· ἡ γὰρ τοῦ Μειδίου προπέτεια καὶ ἡ τῶν πραγμάτων ποιότης τῇ καταδρομῇ συμμαχεῖ. ἡ δὲ στάσις ὁρικὴ, ζητούντων ἡμῶν τι ἴδιον ὄνομα τῷ ἐγκλήματι· ὁ μὲν γὰρ Μειδίας ἰδιωτικὸν, ὁ δὲ ῥήτωρ δημόσιον
512 εἶναι κατασκευάζει. ὅρος γάρ ἐστιν, οὗ τὸ μὲν πέπρακται, τὸ δὲ λείπει πρὸς αὐτοτέλειαν τοῦ ὀνόματος τοῦ ἐπιτεθησομένου τῷ πράγματι, ὡς ἐπὶ τοῦ κενοτάφιον ὀρύξαντος καὶ κρινομένου τυμβωρυχίας. ἐνταῦθα γὰρ πέπρακται μὲν τὸ ὀρύξαι, λείπει 7
δὲ τὸ τάφον ὀρύξαι, οὐ κενοτάφιον. λέγει γὰρ ὁ φεύγων "οὐ τάφον ὤρυξα· οὐ γὰρ εὗρον νεκρόν." ὁ δὲ διώκων λέγει ὅτι "τὸ δ' ὀρύξαι τάφον τυμβωρυχίαν λέγω· [οὐ γὰρ αὐτὸς ᾔδεις ὅτι κενοτάφιόν ἐστιν, ἀλλ' ὡς τάφον ὀρύττων, ἐπεὶ κενοτάφιον εὑρηται, ἀξιοῖς μὴ δοῦναι δίκην.]" οὕτω κἀνταῦθα πέπρακται μὲν τὸ τύψαι τὸν Δημοσθένην, λείπει δὲ τὸ καλέσαι τὸν αὐτοχειροτόνητον χορηγόν. ὁ γὰρ Δημοσθένης λέγει ὅτι "χορηγὸν ἔτυψας." ὁ δὲ Μειδίας ὅτι "χορηγὸν ἁπλῶς οὐκ ἔτυψα, [αὐτοχειροτόνητος γὰρ ἦσθα,] ἀλλὰ Δημοσθένην ἰδιώτην ὄντα· τὸ δὲ τύψαι ἰδιώτην οὐκ ἔστι δημόσιον ἀδίκημα." διπλοῦς δὲ ὁ ὅρος εἴδους τοῦ κατὰ 8
σύλληψιν. κατὰ σύλληψιν δέ ἐστιν, ὅταν ὁ κατήγορος τὴν αὑτοῦ δικαιολογίαν καὶ τὴν τοῦ φεύγοντος εἰς ἓν συνάγῃ· ἔνθα γὰρ οὐ τὸ μὲν ἐκβάλλει τις, τὸ δὲ δέχεται, ἀλλ' ἀμφότερα συγκροτεῖ καὶ συλλαμβάνει, τούτῳ ὑπάγομεν τῷ εἴδει. φαίνεται τοίνυν ἐν πολλοῖς μέρεσιν ὁ Δημοσθένης τοῦτο ποιῶν καὶ φάσκων ἅμα τῷ Δημοσθένει καὶ τὴν πόλιν ὑβρίζεσθαι. κεφάλαια δὲ τὰ τῇ στάσει προσήκοντα. τὰ δὲ προοίμια καταφορικὰ, ὑπερβολὴν ἔχοντα πολλὴν καὶ τῶν περιστατικῶν αὔξησιν· τὸ γὰρ "πρὸς ἅπαντας" καὶ οὐ' πρὸς ἐμὲ μόνον καὶ τὸ "ἀεὶ" τὴν μελέτην τῆς ἀτοπίας καὶ οὐ πρὸς ἅπαξ ἐκ τύχης ἡμαρτηκότα δείκνυσι.

513 [Κεφάλαια δὲ τοῦ λόγου εἰσὶ ταῦτα, ὅρος, ἀνθορισμὸς, γνώμη 9
νομοθέτου, συλλογισμὸς, πηλικότης, πρός τι, καὶ μία τῶν ἀντιθετικῶν, μεθ' ἣν ἐμπίπτει τὸ μεταληπτικὸν καὶ ἀντιληπτικόν. ἐνταῦθα διὰ τεσσάρων ὅρων ὁ ῥήτωρ ἐμπλέκει τὴν κατηγορίαν, δεικνύων ὅτι δημοσίᾳ Μειδίας ἠδίκησεν. ἔστι δὲ ὁ πρῶτος ὅρος οὗτος, ὅτι οἱ ἐν ἑορτῇ ἀδικοῦντες δημόσιον ἀδίκημα ποιοῦσι. δεύτερος ὅρος, καὶ μάλιστα οἱ χορηγὸν ἀδικοῦντες. τρίτος ὅρος, 10

ὅτι πᾶσα ὕβρις δημόσιόν ἐστιν ἀδίκημα. παραλογίζεται δὲ ἐνταῦθ' ἐκ τῆς ὁμωνυμίας τῆς ὕβρεως· λέγεται γὰρ ὕβρις ἡ δι' αἰσχρουργίας γινομένη· λέγεται ὕβρις καὶ ἡ διὰ λόγων· λέγεται πάλιν ὕβρις καὶ ἡ διὰ πληγῶν. δημόσιον δὲ ἀδίκημα ἡγοῦντο τὴν αἰσχρουργίαν· τῇ οὖν ὁμωνυμίᾳ παρελογίσατο. τέταρτος ὅρος, ὅτι ὁ πάντας ἀεὶ ὑβρίζων δημοσίᾳ ἀδικεῖ· εἰ γὰρ τὸ δημόσιον ἐκ
11 πάντων συνίσταται, ἄρα δημόσιον τἀδίκημα. τίθησι δὲ σπερματικῶς ἐν τῷ προοιμίῳ τοὺς τέτταρας ὅρους. καὶ ἐκ τούτων εἰσὶν ἐν τοῖς ἀγῶσι τρεῖς, τὸν δὲ τέταρτον ὅρον τίθησιν ἐν τῇ παρεκβάσει, καὶ δικαίως· λέγων γὰρ ὅτι ὁ πάντας ὑβρίζων δημοσίᾳ ἀδικεῖ, παρεξέρχεται λέγων τὸν πρότερον αὐτοῦ βίον. ἔχει δὲ ὁ λόγος οὗτος δύο προοίμια. καὶ εἴληπται τὸ πρῶτον προοίμιον ἐκ διαβολῆς τοῦ ἐναντίου, καὶ ἐκ συστάσεως τοῦ οἰκείου προσώπου, καὶ ἐκ προσοχῆς. ἔστι δὲ ἡ πρότασις διμερής, καὶ τὸ μὲν πρῶτον μέρος ἐστὶν ἀκατάσκευον, τὸ δὲ δεύτερον καὶ αὐτὸ διμερές. καὶ κατασκευάζει τούτων ἑκάτερα. εἶτα ἐπιφέρει τὸ συμπέρασμα, ἐν ᾧ ἐστιν ἡ προσοχή.

12 Ὅρος κατὰ σύλληψιν. λέγεται δὲ οὕτως, ὅταν τοῦ φεύγοντος ἀντονομάζοντος ὁ διώκων καὶ τούτῳ κἀκείνῳ ὑπεύθυνον αὐτὸν 514
εἶναι λέγῃ τῷ ὀνόματι, ὥστε διπλοῦς ἐστιν, ἐπεὶ δύο περιέχει ἐγκλήματα. παράδειγμα ὁ στρατηγὸς ὁ βιασάμενος τὴν παρατεθεῖσαν κόρην ὑπὸ τοῦ πρεσβευτοῦ, καὶ δημοσίων ἀδικημάτων κρινόμενος, καὶ ἀποκρινόμενος μὴ δημοσίᾳ ἠδικηκέναι, ἀλλὰ βιάσασθαι, ὁ δὲ πρεσβευτὴς ἀμφοτέροις αὐτὸν φάσκων ὑπεύθυνον εἶναι. τὸ προοίμιον ἀπὸ τοῦ ἀντιδίκου, ὁ δὲ λόγος δι' ἑνὸς εἴδους προάγεται, ἤτοι τοῦ δικανικοῦ· τούτου γὰρ καὶ τὸ τέλος τὸ δίκαιον καὶ ἡ κατασκευὴ διὰ τοῦ δικαίου.]

ΔΗΜΟΣΘΕΝΟΥΣ

ΚΑΤΑ ΜΕΙΔΙΟΥ ΠΕΡΙ ΤΟΥ ΚΟΝΔΥΛΟΥ

ΤΗΝ μὲν ἀσέλγειαν, ὦ ἄνδρες δικασταί, καὶ τὴν ὕβριν, ἣ πρὸς ἅπαντας ἀεὶ χρῆται Μειδίας, οὐδέν' οὔθ' ὑμῶν οὔτε τῶν ἄλλων πολιτῶν ἀγνοεῖν οἶομαι. ἐγὼ δ', ὅπερ ἂν καὶ ὑμῶν ἕκαστος ὑβρισθεὶς προείλετο πρᾶξαι, τοῦτο καὶ αὐτὸς ἐποίησα, καὶ προὐβαλόμην ἀδικεῖν τοῦτον περὶ τὴν ἑορτήν, οὐ μόνον πληγὰς ὑπ' αὐτοῦ λαβὼν τοῖς Διονυσίοις, ἀλλὰ καὶ

CRITICAL NOTES. Text. § **1**. Line 3. *οἶμαι* Σ (*o* above line), F; *οἴομαι* vulg. 4. *πράξαι* Σ. 5. *τοῦτον* Σ, P; *τουτονὶ* vulg.

I. PROOEMIUM. (§§ **1—12.**) We have (1) a general introduction (§§ 1—4); (2) a justification of his appeals to the court for personal consideration (§§ 5—7); and (3) two laws, one providing for a special meeting of the Assembly to consider offences committed at the Great Dionysia, the other forbidding all acts of violence at that festival (§§ 8—12).

§ **1**. 1. **ἀσέλγειαν** adds the idea of outrageous brutality to that of wanton insolence expressed in *ὕβριν*. In § 51 *ὕβρις* is called too weak a term for the act of Midias, since Demosthenes was a public official (*χορηγός*): the greater outrage, he thinks, should be called *ἀσέβεια*. In § 19[1] the acts of Midias are called *τὰ ἠσελγημένα καὶ περὶ τὴν ἑορτὴν ἀδικήματα* (see note on line 5).

3. The **καὶ** before *ὑμῶν* and that before *αὐτὸς* (4) are mutually emphatic, showing the parallelism between what *you would have done* in my place and *what I did*. Dem. often uses *καί* to express parallelism, even when no other *καί* precedes: see Cor. 5[6], 60[4] (*ἃ καὶ διεκωλύθη*), and 57[6] *εἴτ' ἀληθῆ...εἴτε καὶ ψευδῆ*.

5. **προὐβαλόμην...ἑορτήν**, *I brought a προβολή against him, charging him with an offence against the festival*: *ἀδικεῖν* (not *ἀσεβεῖν*), as the *προβολή* was concerned with *ἀδικήματα περὶ τὴν ἑορτήν* (§ 9[6]). With *προὐβαλόμην τινὰ ἀδικεῖν* cf. *ἐγράψατο Λάβητ' ἀδικεῖν*, Ar. Vesp. 894; *εἰσήγγελλε τὰ ὅπλα ἀποβεβληκότα δημηγορεῖν* (of *εἰσαγγελία*), Lys. x. 1; *ἐνδειχθέντα δεκάζειν* (of *ἔνδειξις*), § 182[2] (below): so *φαίνω* (of *φάσις*) with the participle, *καί σε φαίνω ἀδεκατεύτους ἱρὰς ἔχοντα κοιλίας*, i.e. *I indict you* by *φάσις for having* etc., Ar. Eq. 300. In § 28[4] we have *τοῦτο αὐτὸν προὐβαλόμην*.

6. **ὑπ' αὐτοῦ**: *πληγὰς ἔχων* is felt as passive, = *πληγείς*.

ἄλλα πολλὰ καὶ βίαια παθὼν παρὰ πᾶσαν τὴν χορηγίαν.
2 ἐπειδὴ δὲ καλῶς καὶ τὰ δίκαια ποιῶν ὁ δῆμος ἅπας οὕτως
ὠργίσθη καὶ παρωξύνθη καὶ σφόδρ' ἐσπούδασεν ἐφ' οἷς
ἠδικημένῳ μοι συνῄδει, ὥστε πάντα ποιοῦντος τούτου καί
τινων ἄλλων ὑπὲρ αὐτοῦ οὐκ ἐπείσθη οὐδ' ἀπέβλεψεν εἰς τὰς 515
οὐσίας τὰς τούτων οὐδὲ τὰς ὑποσχέσεις, ἀλλὰ μιᾷ γνώμῃ
κατεχειροτόνησεν αὐτοῦ, πολλοί μοι προσιόντες, ὦ ἄνδρες
δικασταί, καὶ τῶν ἐν τῷ δικαστηρίῳ νῦν ὄντων ὑμῶν καὶ
τῶν ἄλλων πολιτῶν ἠξίουν καὶ παρεκελεύοντ' ἐπεξελθεῖν καὶ
παραδοῦναι τοῦτον εἰς ὑμᾶς, ὡς μὲν ἐμοὶ δοκεῖ, δι' ἀμφότερ',
ὦ ἄνδρες Ἀθηναῖοι, νὴ τοὺς θεούς, καὶ δεινὰ πεπονθέναι
νομίζοντες ἐμὲ καὶ δίκην ἅμα βουλόμενοι λαβεῖν ὧν ἐπὶ τῶν
ἄλλων ἐτεθέαντο θρασὺν ὄντα καὶ βδελυρὸν καὶ οὐδὲ καθ-
3 εκτὸν ἔτι. οὕτω δὲ τούτων ἐχόντων, ὅσα μὲν παρ' ἐμοῦ
προσῆκε φυλαχθῆναι, πάντα δικαίως ὑμῖν τετήρηται· καὶ
κατηγορήσων, ἐπειδή τις εἰσάγει, πάρειμι, ὡς ὁρᾶτε, πολλὰ
μὲν, ὦ ἄνδρες Ἀθηναῖοι, χρήματ' ἐξόν μοι λαβεῖν ὥστε μὴ

§ **2.** 3. *συνήδει* Σ.
§ **3.** 2. *τετήρηνται* (with *ν* erased) Σ.

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7. **παρὰ πᾶσαν τὴν χορηγίαν**, *through the whole time while I was χορηγός.*

§ **2.** 1. The clause with *ἐπειδὴ* runs through *αὐτοῦ* (6), after which the leading clause finishes the section.—**καλῶς** and **τὰ δίκαια** have a similar relation to *ποιῶν*.

2. **σφόδρα**: i.e. *οὕτω σφόδρα*.

3. **ἠδικημένῳ**: see M.T. 908.

4. **ἄλλων**: see §§ 103, 139.—**οὐδ' ἀπέβλεψεν**, i.e. *did not let themselves be diverted from the case to look at their wealth*, etc. See King's note.

6. **κατεχειροτόνησεν**: of the vote condemning Midias, which was taken by a *show of hands*.—**προσιόντες**, i.e. *coming with solicitations*.

8. **ἠξίουν**, *demanded* (*thought it fitting* for others): cf. *ἠξίουν* in § 5[3], *thought it fitting* (for myself).—**ἐπεξελθεῖν**, *to proceed* against Midias.

9. **εἰς ὑμᾶς**, i.e. *to the court* which is now trying the case.—**δι' ἀμφότερα**, *for both* (the following) *reasons*, *καὶ...νομίζοντες* and *καὶ...βουλόμενοι* (10, 11).

11. **ὧν** (=*ἐκείνων ἃ*), *for what, limiting θρασὺν*, etc.—**ἐπὶ τῶν ἄλλων** (neuter), *in his other acts.*

§ **3.** 1. **ὅσα μὲν...φυλαχθῆναι**, *all the precautions which it was my duty to take*, i.e. in preparing the case so that it should be plain to the judges, many of whom had urged him to bring it to trial; opposed to *ἃ δ'...ὑπόλοιπα* in § 4[1].

2. **ὑμῖν**, *for you*, i.e. so as to save you trouble.

3. **ἐπειδή τις εἰσάγει**, i.e. *now that the case is* (at last) *brought before the court*, seems to imply that there had been some obstacles which delayed the trial. There can be no ambiguity in *τις*, as the *θεσμοθέται* had the *ἡγημονία δικαστηρίου* in trials of the *προβολή*: see Arist. Const. of Ath. § 59, 2 (of the Thesmothetae), *καὶ τὰς προβολὰς ἁπάσας εἰσάγουσιν οὗτοι*. Cf. Ar. Vesp. 841, *φησὶν κατηγορήσειν, ἢν τις εἰσάγῃ γραφήν.*

4. **ἐξόν** (impf.) *μοι λαβεῖν, when I might have received.*—**ὥστε μὴ κατηγορεῖν**, conditional (M. T. 587[2]).

κατηγορεῖν, οὐ λαβὼν, πολλὰς δὲ δεήσεις καὶ χάριτας καὶ νὴ Δί' ἀπειλὰς ὑπομείνας. ἃ δ' ἐν ὑμῖν μετὰ ταῦτ' ἐστὶν **4** ὑπόλοιπα, ὅσῳ πλείοσιν οὗτος ἠνώχληκε καὶ περιήγγελκεν (ἑώρων γὰρ αὐτὸν ἄρτι πρὸ τῶν δικαστηρίων οἷ' ἐποίει), τοσούτῳ μᾶλλον ἐλπίζω τὸ δίκαιον ἕξειν. οὐ γὰρ ἂν κατα- γνοίην ὑμῶν οὐδενὸς οὔθ' ὡς περὶ ὧν πρὸς ἔμ' ἐσπουδάσατ' αὐτοὶ, τούτων ἀμελήσετε, οὔθ' ὡς, ἵνα Μειδίας ἀδεῶς τὸ λοιπὸν ὑβρίζῃ, ψηφιεῖταί τις ὑμῶν ὁμωμοκὼς ἄλλο τι πλὴν ὅ τι ἂν δίκαιον ἡγῆται. εἰ μὲν οὖν, ὦ ἄνδρες Ἀθηναῖοι, **5** παρανόμων ἢ παραπρεσβείας ἤ τινος ἄλλης αἰτίας ἔμελλον

5. δὲ om. Σ, O[1].

§ **4**. 2. ὅσῳ Σ, vulg.; ὅσω γὰρ Y, O. περιήγγελκεν Σ, A, Y, O; παρήγγελκεν F, P. 6. πρότερον (after αὐτοὶ) vulg.; om. Σ, A. 8. ἡγῆται δίκαιον F.

§ **5**. 2. ἔμελλον P; ἤμελλον vulg. 2, 3. ἄλλης...κατηγορεῖν τοιαύτης Σ, P, Y, O; ἄλλης τοιαύτης κατ. vulg.

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§ **4**. 1. **ἃ δ' ἐν ὑμῖν...ὑπόλοιπα**, *but regarding what still remains for you to do* (*ἐν ὑμῖν*, *in your hands*), opposed to what Demosth. had previously done (§ 3[1], *παρ' ἐμοῦ*). *ἐν ὑμῖν* sometimes means *in court*, *apud vos*.

2. **ἠνώχληκε καὶ περιήγγελκεν**, *he has given annoyance and sent solicitations*. I have accepted *περιήγγελκεν* with much hesitation on the authority of Σ, Y, and A, while most editors read *παρήγγελκεν*. Neither *παραγγέλλω* nor *περιαγγέλλω* occurs elsewhere in the genuine Demosthenes, though *παραγγελία* in the sense of *solicitation of judges* is found in xix. 1 and 283. Both verbs are frequently used in the sense of *sending orders or messages*, *περιαγγέλλω* generally meaning *sending round* to various places, which *παραγγέλλω* often implies. In this want of authority for either word apart from the MSS., I take *ἠνώχληκε* to mean generally *annoyance* of the judges by Midias before the trial, and *περιήγγελκεν* sending friends to various judges with solicitations in his behalf. Both of these had probably been seen by Demosthenes in the agora before the court-houses (*πρὸ τῶν δικαστηρίων*) when the judges were assembling or drawing their lots. Weil quotes Ar. Vesp. 552:—

ὃν πρῶτα μὲν ἔφροντ' ἐξ εὐνῆς τηροῦσ' ἐπὶ τοῖσι δρυφάκτοις
ἄνδρες μεγάλοι καὶ τετραπήχεις· κἄπειτ' εὐθὺς προσιόντι
ἐμβάλλει μοι τὴν χεῖρ' ἀπαλὴν τῶν δη- μοσίων κεκλοφυῖαν.

See Dem. xix. 1, *ὅση μὲν σπουδὴ...καὶ παραγγελία γέγονε, σχεδὸν οἶμαι πάντας ὑμᾶς ᾔσθῆσθαι, ἑορακότας ἄρτι τοὺς ὅτ' ἐκληροῦσθ' ἐνοχλοῦντας καὶ προσιόντας ὑμῖν*. The complicated process by which the judges for each case were selected by lot on the morning of each court day gave ample opportunity for importuning them before they entered the court house. See Arist. Const. of Ath. § 63 and the following fragments. Much of this passage of Aristotle is too broken to make all the details clear; but it shows conclusively that our former belief in the division of a limited number of the citizens into ten distinct courts of 500 each at the beginning of each year has no foundation.

4. **οὐ...καταγνοίην** has two clauses with *ὡς*, in place of common accusatives of the offence charged.

5. **πρὸς ἔμ' ἐσπουδάσατ' αὐτοὶ** refers to § 2: notice *ἐσπούδασεν* in § 2[2].

7. **ὁμωμοκὼς**, *after taking the Heliastic oath*.

§ **5**. 2. **παρανόμων κατηγορεῖν** like

αὐτοῦ κατηγορεῖν τοιαύτης, οὐδὲν ἂν ὑμῶν ἠξίουν δεῖσθαι, νομίζων τῷ μὲν κατηγόρῳ περὶ τῶν τοιούτων προσήκειν 5 16
ἐλέγχειν μόνον, τῷ δὲ φεύγοντι καὶ παραιτεῖσθαι. ἐπειδὴ δὲ τούς τε κριτὰς διαφθείραντος τούτου καὶ διὰ τοῦτο τῆς
6 φυλῆς ἀδίκως ἀφαιρεθείσης τὸν τρίποδα, καὶ αὐτὸς πληγὰς εἰληφὼς καὶ ὑβρισμένος οἴ' οὐκ οἶδ' εἴ τις ἄλλος πώποτε χορηγὸς ὑβρίσθη, ἣν ὑπὲρ τούτων ἀγανακτήσας καὶ συνοργισθεὶς καταχειροτονίαν ὁ δῆμος ἐποιήσατο, ταύτην εἰσέρχομαι, οὐκ ὀκνήσω καὶ δεῖσθαι. εἰ γὰρ οἷόν τε τοῦτ' εἰπεῖν, ἐγὼ νῦν φεύγω, εἴπερ ὑβρισθέντα μηδεμιᾶς δίκης
7 τυχεῖν ἐστί τις συμφορά. δέομαι οὖν ὑμῶν ἁπάντων, ὦ ἄνδρες δικασταί, καὶ ἱκετεύω πρῶτον μὲν εὐνοϊκῶς ἀκοῦσαί μου λέγοντος, ἔπειτ', ἐὰν ἐπιδείξω Μειδίαν τουτονὶ μὴ μόνον εἰς ἐμέ, ἀλλὰ καὶ εἰς ὑμᾶς καὶ εἰς τοὺς νόμους καὶ εἰς τοὺς ἄλλους ἅπαντας ὑβρικότα, βοηθῆσαι καὶ ἐμοὶ καὶ ὑμῖν αὐτοῖς. καὶ γὰρ οὕτω πως ἔχει, ὦ ἄνδρες Ἀθηναῖοι· ὕβρι-

5. ἐλέγχειν Σ^1, A; ἐξελέγχειν Σ corr., vulg. 6. τούτου τότε A, F.
§ **6.** 3, 4. ἀγανακτήσας...ταύτην om. A. 5. ὀκνήσων Y.
§ **7.** 1. ἁπάντων om. F.

παρανόμων γράφεσθαι, of the γραφὴ παρανόμων (see Essay II. in edition of De Corona).—**παραπρεσβείας**, *misconduct on an embassy*, the offence with which Demosthenes charges Aeschines in xix.

3. **ἠξίουν**: see note on § 2^8.—**δεῖσθαι**, like παραιτεῖσθαι (5), *to beseech*. Appeals to the compassion of the judges by the defendant were common, almost the rule.

4. **περὶ τῶν τοιούτων** refers to παρανόμων and παραπρεσβείας.

5. **ἐλέγχειν μόνον**, *merely to prove his case*.—**ἐπειδὴ** introduces ταύτην εἰσέρχομαι in § 6^4, which is preceded by a long participial sentence where we might have had διέφθειρε, ἀφῃρέθη, etc. with ἐπειδή. Such sentences cannot well be translated by our participles.

6. **κριτὰς διαφθείραντος**: see § 18^{5-9}: the judges were those of the contest of flute-players, for which Dem. was χορηγός.

7. **τὸν τρίποδα**: this was the prize in the contest, awarded nominally to the tribe of the χορηγός.

§ **6.** 3. **ὑπὲρ**, like περί, as often in the orators.—**συνοργισθεὶς**, *in sympathetic wrath for me*.

4. **ταύτην** (τὴν καταχειροτονίαν) **εἰσέρχομαι**, *I come into court to prosecute this suit*: cf. εἰσῆλθον τὴν γραφήν, Cor. 105; τὰς δίκας ταύτας εἰσιέναι, xxviii. 17. The καταχειροτονία of the people (§ 2^6) is represented as an indictment (γραφή).

6. **νῦν φεύγω**, *I am* (practically) *a defendant in this suit*: i.e. I have as much at stake as a defendant (φεύγων) generally has. If he loses the case, he must submit to the disgrace of having been publicly insulted with no hope of redress: this συμφορά he compares to the condition of a defendant with his liability to punishment.

§ **7.** 3. **ἔπειτ'**, without δέ, after πρῶτον μέν, the common usage in the orators: see note on Cor. 1^4.

4. **τοὺς ἄλλους** and **καὶ ὑμῖν αὐτοῖς** (5): he identifies his case with that of the whole people (so in 6—10): cf. § 8^4.

σμαι μὲν ἐγὼ καὶ προπεπηλάκισται τὸ σῶμα τοὐμὸν τότε, ἀγωνιεῖται δὲ καὶ κριθήσεται τὸ πρᾶγμα νυνὶ, πότερον ἐξεῖναι δεῖ τὰ τοιαῦτα ποιεῖν καὶ εἰς τὸν τυχόνθ' ὑμῶν ἀδεῶς ὑβρίζειν ἢ μή. εἴ τις οὖν ὑμῶν ἄρα καὶ τὸν ἔμπροσθε **8** χρόνον τῶν ἰδίων τινὸς εἵνεκα γίγνεσθαι τὸν ἀγῶνα τόνδ' ὑπελάμβανεν, ἐνθυμηθεὶς νῦν ὅτι δημοσίᾳ συμφέρει μηδενὶ μηδὲν ἐξεῖναι τοιοῦτο ποιεῖν, ὡς ὑπὲρ κοινοῦ τοῦ πράγματος ὄντος, καὶ προσέχων ἀκουσάτω, καὶ τὰ φαινόμεν' αὐτῷ δι- 5 καιότερ' εἶναι, ταῦτα ψηφισάσθω. ἀναγνώσεται δὲ πρῶτον μὲν ὑμῖν τὸν νόμον καθ' ὃν εἰσὶν αἱ προβολαί· μετὰ δὲ ταῦτα καὶ περὶ τῶν ἄλλων πειράσομαι διδάσκειν. Λέγε τὸν νόμον.

517 ΝΟΜΟΣ. 10

[Τοὺς πρυτάνεις ποιεῖν ἐκκλησίαν ἐν Διονύσου τῇ ὑστεραίᾳ Παυδίων. ἐν δὲ ταύτῃ χρηματίζειν πρῶτον μὲν περὶ ἱερῶν, ἔπειτα τὰς προβολὰς παραδιδότωσαν τὰς γεγενημένας ἕνεκα τῆς πομπῆς ἢ τῶν ἀγώνων τῶν ἐν τοῖς Διονυσίοις, ὅσαι ἂν μὴ ἐκτετισμέναι ὦσιν.] 15

9. *τὰ* om. Y, O.

§ **8.** 2. *τῶν* om. A. *ἕνεκά τινος* A; *τινὸς εἵνεκα* P, Y; *τινὸς ἕνεκα* Σ. 3. *μηδενι* (dotted) *μηδενὶ μηδὲν* Σ. 4. *τοιοῦτόν τι* A; *τοῦτο* F. 5. *ὄντος* om. Y^1. *δικαιότερ'* Σ, P, Y, O; *δικαιότατ'* vulg. 6. *δὲ* Σ (above line); om. P. Y, O. 8. *διδάσκειν ὑμᾶς* F, vulg. 10—15. ΝΟΜΟΣ om. A.

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8. **ἀγωνιεῖται...τὸ πρᾶγμα**, i.e. *the real issue will now be tried and decided.*

9. **ἐξεῖναι**: sc. *τούτῳ.*—**τὸν τυχόνθ'**, *quemvis*, any one whom he wants to insult.

§ **8.** 1. **εἴ τις οὖν...χρόνον**, *now if any one of you perchance, even in the past:* ἔμπροσθε is opposed to *νῦν* (3). Cf. Thuc. iv. 86[3], *καὶ εἴ τις ἰδίᾳ τινὰ δεδιὼς ἄρα ...ἀπρόθυμός ἐστι.*

2. **τῶν ἰδίων τινὸς εἵνεκα**, *for any personal interest*, opposed to *δημοσίᾳ συμφέρει* (3).

3. **ἐνθυμηθεὶς νῦν** (with subject of *ἀκουσάτω* (5), *let him now consider.*

4. **ὡς ὑπὲρ κοινοῦ...ὄντος**, *feeling that the matter is of public concern.*

5. **προσέχων** (sc. *τὸν νοῦν*), *attentively.* The construction is *καὶ ἀκουσάτω καὶ ψηφισάσθω.*

6. **ἀναγνώσεται**: sc. *ὁ γραμματεύς*: cf. *λέγε τὸν νόμον* (8). *ἀναγιγνώσκω* and *λέγω* are both used of the clerk's reading a law (*λέγω* being more common): see Cor. 28[2] with note, and 305[7], *λέγε καὶ ἀνάγνωθι λαβών.*

7. **τὸν νόμον...προβολαί**, the law providing for the *προβολή*. The law in the text cannot be genuine: the Prytanes are said to bring business before the Assembly, which at this time was the duty of the nine Proedri (§ 9[4]); and *παραδιδότωσαν* (13) for *παραδιδόντων* is not classical. The law is described in § 9.

9 Ὁ μὲν νόμος οὗτός ἐστιν, ὦ ἄνδρες Ἀθηναῖοι, καθ' ὃν αἱ προβολαὶ γίγνονται, λέγων, ὥσπερ ἠκούσατε, ποιεῖν τὴν ἐκκλησίαν ἐν Διονύσου μετὰ τὰ Πάνδια, ἐν δὲ ταύτῃ ἐπειδὰν χρηματίσωσιν οἱ πρόεδροι περὶ ὧν διῴκηκεν ὁ ἄρχων, χρηματίζειν καὶ περὶ ὧν ἄν τις ἠδικηκὼς ᾖ περὶ τὴν ἑορτὴν ἢ παρανενομηκὼς, καλῶς, ὦ ἄνδρες Ἀθηναῖοι, καὶ συμφερόντως ἔχων ὁ νόμος, ὡς τὸ πρᾶγμ' αὐτὸ μαρτυρεῖ. ὅπου γὰρ ἐπόντος τοῦ φόβου τούτου φαίνονταί τινες οὐδὲν ἧττον ὑβρισταὶ, τί χρὴ τοὺς τοιούτους προσδοκᾶν ἂν ποιεῖν, εἰ μηδεὶς ἐπῆν ἀγὼν μηδὲ κίνδυνος;

10 Βούλομαι τοίνυν ὑμῖν καὶ τὸν ἑξῆς νόμον ἀναγνῶναι τούτῳ· καὶ γὰρ ἐκ τούτου φανερὰ πᾶσιν ὑμῖν ἥ τε τῶν ἄλλων ὑμῶν εὐλάβεια γενήσεται καὶ τὸ τούτου θράσος. λέγε τὸν νόμον.

§ **9.** 4. πρόοδοι corr. to πρόεδροι Σ. 5. χρηματίζειν Σ, Y¹; χρηματίζειν κελεύει vulg. 9. προσδοκᾶν before τοὺς A, F.

§ **10.** 1. ἀναγνῶναι νόμον F. 2. τούτῳ Σ¹, Y; τουτονὶ Σ², vulg. 3. ἄλλων ἁπάντων A, Y.

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§ **9.** 3. **ἐν Διονύσου** (sc. τῷ ἱερῷ), the Dionysiac theatre, which, after it was finished in the time of Lycurgus, was often used for meetings of the Assembly.—**τὰ Πάνδια**: this was probably a festival in honour of the full moon, Πανδίη being the child of Zeus and Selene (Hymn. Hom. xxxii. 15), ἥ δ' ὑποκυσσαμένη Πανδίην γείνατο κούρην. It came on or near the full moon of Elaphebolion, and ended *the Great Dionysia*. See Appendix III.

4. **χρηματίσωσιν**, *transact business*, was used of the presiding officers in bringing business before the Assembly.—**οἱ πρόεδροι**: in the earlier times, before 400 B.C. (perhaps somewhat later), the 50 Prytanes, the senators of one of the ten tribes, chose by lot each morning from their own number a president (ἐπιστάτης), who presided in the Senate or Assembly on that day. But at some time after 400 B.C. (certainly by 378) this ἐπιστάτης of the Prytanes chose by lot nine senators, one from each of the tribes except his own, on each day when either the Senate or the Assembly was to meet; and these presided as a body in the Senate or Assembly for that day. These were the πρόεδροι, and one of their number was chosen by lot to be the actual president, who was called the ἐπιστάτης τῶν προέδρων and who put questions to vote. It was in this capacity that Demosthenes presided in the Assembly of the 25th of Elaphebolion in 346 B.C., just before the departure of the second embassy to Philip (Aeschin. ii. 82, iii. 73, 74). For the appointment of the πρόεδροι see Arist. Const. of Ath. § 44.—**ὁ ἄρχων**, the Archon Eponymus, the Chief Archon, who presided over the Great Dionysia: his business relating to the festival naturally had precedence.

7. **τὸ πρᾶγμ' αὐτὸ**, *the facts* of the present case.

8. **τοῦ φόβου τούτου**, the present fear of the προβολή.

9. **ἂν ποιεῖν** represents ἐποίουν ἄν.

10. **ἀγὼν**, *lawsuit*, i.e. the προβολή.

§ **10.** 1. **τὸν ἑξῆς νόμον**, *the law next to this* (τούτῳ) on the list given to the clerk.

3. **εὐλάβεια**, *caution* in making such a law.

ΝΟΜΟΣ. 5

[Εὐήγορος εἶπεν, ὅταν ἡ πομπὴ ᾖ τῷ Διονύσῳ ἐν Πειραιεῖ καὶ οἱ κωμῳδοὶ καὶ οἱ τραγῳδοί, καὶ ἡ ἐπὶ Ληναίῳ πομπὴ καὶ οἱ τραγῳδοὶ καὶ οἱ κωμῳδοί, καὶ τοῖς ἐν ἄστει Διονυσίοις ἡ πομπὴ καὶ οἱ παῖδες καὶ ὁ κῶμος καὶ οἱ κωμῳδοὶ καὶ οἱ τραγῳδοί, καὶ
518 Θαργηλίων τῇ πομπῇ καὶ τῷ ἀγῶνι μὴ ἐξεῖναι μήτε ἐνεχυράσαι 10
μήτε λαμβάνειν ἕτερον ἑτέρου, μηδὲ τῶν ὑπερημέρων, ἐν ταύταις ταῖς ἡμέραις. ἐὰν δέ τις τούτων τι παραβαίνῃ, ὑπόδικος ἔστω τῷ παθόντι, καὶ προβολαὶ αὐτοῦ ἔστωσαν ἐν τῇ ἐκκλησίᾳ τῇ ἐν Διονύσου ὡς ἀδικοῦντος, καθὰ περὶ τῶν ἄλλων τῶν ἀδικούντων γέγραπται.] 15

Ἐνθυμεῖσθ', ὦ ἄνδρες δικασταί, ὅτι ἐν τῷ προτέρῳ **11**
νόμῳ κατὰ τῶν περὶ τὴν ἑορτὴν ἀδικούντων οὔσης τῆς προβολῆς, ἐν τούτῳ καὶ κατὰ τῶν τοὺς ὑπερημέρους εἰσπραττόντων ἢ καὶ ἄλλ' ὁτιοῦν τινὸς λαμβανόντων ἢ βιαζομένων ἐποιήσατε τὰς προβολάς. οὐ γὰρ ὅπως τὸ σῶμ' 5
ὑβρίζεσθαί τινος ἐν ταύταις ταῖς ἡμέραις, ἢ τὴν παρασκευὴν ἣν ἂν ἐκ τῶν ἰδίων πορίσαιτό τις εἰς λῃτουργίαν, ᾤεσθε

5—15. ΝΟΜΟΣ om. A.

§ **11.** 2. κατὰ τῶν περὶ A ; περὶ τῶν κατὰ Σ, vulg. 5. ὅπως τὸ Σ^1; ὅπως μὴ τὸ Σ^2, vulg. 7. λειτουργίαν MSS. (see note below) ; τὴν λειτουργίαν F, O.

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§ **11.** 3. **ὑπερημέρους**: anyone who failed to pay what he was condemned to pay by a court, or was bound to pay by a contract, was called *ὑπερήμερος*, *beyond his day*, and he could be proceeded against legally.—**εἰσπραττόντων**, properly *exacting money from anyone*, here demanding the payment of a debt overdue, as a step towards a legal process. Such a demand made at the Dionysia was ground for a *προβολή*. We may have *εἰσπράττειν τινά τι*, or *εἰσπραττόμενός τι* (pass.): see [l.] 67, xxxiii. 24.

5. **οὐ γὰρ ὅπως**: *οὐχ ὅπως* and *οὐχ ὅτι*, by an original ellipsis of the indicative of a verb of *saying* (as *λέγω*), and *μὴ ὅπως* and *μὴ ὅτι*, by an ellipsis of an imperative or subjunctive (like *λέγε* or *εἴπωμεν*), may signify *I do not speak of* or *do not speak of* (or *let us not speak of*), where we can say *so far from*. Here the meaning (in brief) is, *so far from thinking it right that any man's person should be insulted in these* (sacred) *days*, etc., *you have granted that even what by the judgment of a court belongs to the victors* (in a suit) *shall during the festival remain in the possession of the vanquished*. See M.T. 707 with the examples, and note on Cor. 131[4].

7. **ἣν ἂν...εἰς λῃτουργίαν**, *whatever one might provide from his private means for a public service*. This (with *τὸ σῶμα*) is subject of *ὑβρίζεσθαι*. *πορίσαιτο* with *ἂν* is probably an ordinary potential optative: Buttmann makes it *oratio obliqua* for *ἣν ἂν πορίσηται* (which one MS., v, has here), like the rare *ἐπειδὰν δοκιμασθείην* in xxx. 6 (M.T. 692). For the *λῃτουργίαι* see Appendix IV. The forms *λῃτουργία* and *λῃτουργῶ* (not *λειτ-*) are well established by inscriptions. See Meisterhans, Gramm. d. Att. Inschr. § 10, 2.

χρῆναι, ἀλλὰ καὶ τὰ δίκῃ καὶ ψήφῳ τῶν ἑλόντων γιγνόμενα τῶν ἑαλωκότων καὶ κεκτημένων ἐξ ἀρχῆς τὴν γοῦν ἑορτὴν
12 ἀπεδώκατ' εἶναι. ὑμεῖς μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, πάντες εἰς τοσοῦτον ἀφῖχθε φιλανθρωπίας καὶ εὐσεβείας ὥστε καὶ τῶν πρότερον γεγενημένων ἀδικημάτων τὸ λαμβάνειν δίκην ἐπέσχετε ταύτας τὰς ἡμέρας· Μειδίας δ' ἐν
5 αὐταῖς ταύταις ταῖς ἡμέραις ἄξια τοῦ δοῦναι τὴν ἐσχάτην δίκην ποιῶν δειχθήσεται. βούλομαι δ' ἕκαστον ἀπ' ἀρχῆς ὧν πέπονθ' ἐπιδείξας, καὶ περὶ τῶν πληγῶν εἰπεῖν ἃς τὸ τελευταῖον προσενέτεινέ μοι· ἓν γὰρ οὐδέν ἐστιν ἐφ' ᾧ τῶν πεπραγμένων οὐ δίκαιος ὢν ἀπολωλέναι φανήσεται.
13 Ἐπειδὴ γὰρ οὐ καθεστηκότος χορηγοῦ τῇ Πανδιονίδι φυλῇ τρίτον ἔτος τουτὶ, παρούσης δὲ τῆς ἐκκλησίας ἐν ᾗ τὸν ἄρχοντ' ἐπικληροῦν ὁ νόμος τοῖς χοροῖς τοὺς αὐλητὰς 519

10. ἀποδεδώκατε A.

§ **12.** 4. ταύτας τὰς ἡμέρας Σ, vulg.; ταύταις ταῖς ἡμέραις A. 6. δ' ἕκαστον Σ, vulg.; δὲ καθ' ἕκαστον A. ἀπ' ἀρχῆς ὧν πέπονθ' Σ, vulg.; ὧν πέπονθα ἐξ ἀρχῆς A. 7. ἔτι καὶ F, Y, O.

§ **13.** 2. τρίτον Σ, vulg.; τρίτον ἢ τέταρτον A; τέταρτον F γρ. 3. χοροῖς Σ^1, vulg.; χορηγοῖς Σ (above the line), P γρ.

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§ **12.** 5. **τοῦ δοῦναι δίκην** is opposed to τὸ λαμβάνειν δίκην (3, 4).

6. **ποιῶν** is imperfect in *or. obl.*, *to have done*.

8. **προσενέτεινε**: πληγὰς ἐντείνειν is *to inflict blows*, as in Xen. An. ii. 4, 11; cf. πληγὰς ἐνέβαλεν, i. 5, 11. προσ- is *besides, in addition* to the other outrages, ἕκαστον ὧν πέπονθα (6).

II. Brief statement of the case of the προβολή against Midias (§§ **13**—**18**). We have (1) the voluntary assumption of the χορηγία by Demosthenes, and the malicious annoyance by Midias (§§ 13—15); (2) the outrages of Midias, ending with the assault upon Demosthenes in the theatre (§§ 16—18).

§ **13.** 1. **ἐπειδή** introduces the whole of § 13 (through ἔλαχον), and the leading clause is the whole of § 14. A literal English translation would be too cumbrous, and a paraphrase with two or more sentences is necessary. See King's note.—**οὐ καθεστηκότος χορηγοῦ**: the tribe Pandionis, to which Dem. belonged, had neglected to appoint a χορηγός for the Dionysiac festival of the year (see next note), and the voluntary assumption of this expensive service by Demosthenes gave him a position of special honour and dignity.

2. **τρίτον ἔτος τουτὶ**, *about two years ago*, the civic year in which he is supposed to be speaking being the *third* (counting inclusively). Assuming that the festival was in the spring of 350 B.C., the omission to appoint a χορηγός fell in the beginning of 351—350 B.C., and the oration was written to be delivered in 349—348. For this chronology see Appendix II. 8.

3. **ἐπικληροῦν...τοὺς αὐλητάς**: early in each year, soon after the appointment of the χορηγοί, the Archon was required to provide each χορηγός with a flute-player, the lot deciding the order in which each

κελεύει, λόγων καὶ λοιδορίας γιγνομένης, καὶ κατηγοροῦντος
τοῦ μὲν ἄρχοντος τῶν ἐπιμελητῶν τῆς φυλῆς, τῶν δ' ἐπιμε-
λητῶν τοῦ ἄρχοντος, παρελθὼν ὑπεσχόμην ἐγὼ χορηγήσειν
ἐθελοντὴς, καὶ κληρουμένων πρῶτος αἱρεῖσθαι τὸν αὐλητὴν
ἔλαχον, ὑμεῖς μὲν, ὦ ἄνδρες Ἀθηναῖοι, πάντες ἀμφότερ' ὡς **14**
οἷόν τε μάλιστ' ἀπεδέξασθε, τήν τ' ἐπαγγελίαν τὴν ἐμὴν
καὶ τὸ συμβὰν ἀπὸ τῆς τύχης, καὶ θόρυβον καὶ κρότον
τοιοῦτον ὡς ἂν ἐπαινοῦντές τε καὶ συνησθέντες ἐποιήσατε,
Μειδίας δ' οὑτοσὶ μόνος τῶν πάντων, ὡς ἔοικεν, ἠχθέσθη,
καὶ παρηκολούθησε παρ' ὅλην τὴν λῃτουργίαν ἐπηρεάζων
μοι συνεχῶς καὶ μικρὰ καὶ μείζω. ὅσα μὲν οὖν τοὺς χορευ- **15**
τὰς ἐναντιούμενος ἡμῖν ἀφεθῆναι τῆς στρατείας ἠνώχλησεν,
ἢ προβαλλόμενος καὶ κελεύων ἑαυτὸν εἰς Διονύσια χει-
ροτονεῖν ἐπιμελητὴν, ἢ τἆλλα πάνθ' ὅσα τοιαῦτα, ἐάσω·
οὐ γὰρ ἀγνοῶ τοῦτο, ὅτι τῷ μὲν ἐπηρεαζομένῳ τότ' ἐμοὶ
καὶ ὑβριζομένῳ τὴν αὐτὴν ὀργὴν ἕκαστον τούτων ἦνπερ

§ **14.** 2. ἀπεδέξασθαι (αι corr. to ε) Σ.

§ **15.** 1. τοὺς Σ, P, Y, O; vulg. ἢ τοὺς. 5. τότεμοι Σ (with dim accent). 6. ἤνπερ ἂν ἄλλ' Dobree.

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should choose. As the tribe Pandionis had chosen no χορηγός, a dispute arose between the Archon and the tribal officers as to the course to be taken. Then Dem. came forward as voluntary χορηγός and was accepted. (See Argum. II. § 3.)

5. **ἐπιμελητῶν**: these are probably the officials, one from each tribe, οὓς πρότερον μὲν ὁ δῆμος ἐχειροτόνει δέκα ὄντας (Arist. Const. of Ath. § 56, 4), who aided the Archon in directing the procession of the Dionysia. This is the office to which Midias asked to be elected for the same year (§ 15^3), that he might annoy Demosthenes in his χορηγία.

7. **κληρουμένων**: sc. ἡμῶν, the ten χορηγοί.—**πρῶτος...ἔλαχον**, *I gained by lot the first choice of an αὐλητής.*

§ **14.** 2. **ἐπαγγελίαν** expresses the formal character of the *public offer* of Demosthenes. It is elsewhere used as a law term, for the formal public notice served by Aeschines on Timarchus, summoning him to a scrutiny (δοκιμασία) of his right to appear as plaintiff in court. See Aeschin. i. 81, τὴν ἐπαγγελίαν ταύτην Τιμάρχῳ ἐπήγγειλα (so i. 64).

3. **τὸ...τύχης**, i.e. *my luck* in drawing the first choice of a flute-player.

4. **ὡς ἄν...συνησθέντες** (sc. ποιήσαιτε), *as you would* (*do*) *if you were to express approval and pleasure* (=εἰ ἐπαινοῖτέ τε καὶ συνησθεῖτε).

6. **παρ' ὅλην τὴν λῃτουργίαν**: cf. § 1^7.

§ **15.** 1. **τοὺς χορευτὰς...στρατείας**, *opposing the exemption of our* (ἡμῖν) *Choreutae from military service* (in Euboea).

3. **προβαλλόμενος**, in its ordinary sense, *proposing himself*; in § 179^2 it means *prosecuting by προβολή*.—**εἰς Διονύσια ἐπιμελητὴν**: probably the same as the ἐπιμελητὴς τῆς φυλῆς (§ 13^6), the latter title referring to the choice of one for each tribe. See A. Mommsen, Feste d. Stadt Athen, p. 442.

5. **ἐπηρεαζομένῳ** implies *malicious* insult: cf. ἐπήρειαν, Cor. 12^3, with note.

ἄλλ' ὁτιοῦν τῶν δεινοτάτων παρίστη, ὑμῖν δὲ τοῖς ἄλλοις, ἔξω τοῦ πράγματος οὖσιν, οὐκ ἂν ἴσως ἄξια ταῦτα καθ' αὑτ' ἀγῶνος φανείη· ἀλλ' ἃ πάντες ὁμοίως ἀγανακτήσετε, ταῦτ' ἐρῶ. ἔστι δ' ὑπερβολὴ τῶν μετὰ ταῦτα, ἃ μέλλω λέγειν, καὶ οὐδ' ἂν ἐπεχείρησ' ἔγωγε κατηγορεῖν αὐτοῦ νῦν, εἰ μὴ καὶ τότ' ἐν τῷ δήμῳ παραχρῆμ' ἐξήλεγξα. τὴν γὰρ ἐσθῆτα τὴν ἱερὰν (ἱερὰν γὰρ ἔγωγε νομίζω πᾶσαν, ὅσην ἂν τις ἕνεκα τῆς ἑορτῆς παρασκευάζηται, τέως ἂν χρησθῇ) καὶ τοὺς στεφάνους τοὺς χρυσοῦς, οὓς ἐποιησάμην ἐγὼ κόσμον τῷ χορῷ, ἐπεβούλευσεν, ὦ ἄνδρες Ἀθηναῖοι, διαφθεῖραί μοι νύκτωρ ἐλθὼν ἐπὶ τὴν οἰκίαν τὴν τοῦ χρυσοχόου. καὶ διέφθειρεν, οὐ μέντοι πᾶσάν γε· οὐ γὰρ ἐδυνήθη. καὶ τοιοῦτον οὐδεὶς πώποτ' οὐδένα φησὶν ἀκηκοέναι τολμήσαντ' οὐδὲ ποιήσαντ' ἐν τῇ πόλει. οὐκ ἀπέχρησε δ' αὐτῷ τοῦτο, ἀλλὰ καὶ τὸν διδάσκαλον, ὦ ἄνδρες Ἀθηναῖοι, διέφθειρέ μου τοῦ χοροῦ· καὶ εἰ μὴ Τηλε-

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8. ἔξω Σ; τοῖς ἔξωθεν A; τοῖς ἔξω vulg. ταῦτα Σ, vulg.; αὐτὰ A. 9. ἃ πάντες ὁμοίως ἀγανακτήσετε (corr. from ἀγανακτήσαιτε) Σ; ἐφ' οἷς ἅπαντες ὁμοίως ἀγανακτήσετε ἀκούσαντες A; ἀκούσαντες Σ marg., om. P; ἂν ὁμοίως ἀκούσαντες ἀγανακτήσαιτε F (acc. to Weil).

§ **16.** 5. παρασκευάζηται Σ, Y, O; παρασκευάσηται vulg. τέως MSS., Bekk., Blass, Weil, King; ἕως Dind.; ὡς P (corr.). 8. μοι Jurinus; μου MSS. 9. πάντας A, F. 10. καὶ τοιοῦτον Σ, P, Y, O; καίτοι τοιοῦτον F; καίτοι τοῦτό γ' A.

§ **17.** 1. οὐδ' ἐπινοήσαντ' Weil. 2. αὐτὸ τοῦτο O.

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8. **ταῦτα καθ' αὑτ'**, *these things in themselves*, as they would appear to those ἔξω τοῦ πράγματος, without the special meaning which these have to Dem.

9. **ἀγῶνος**, *of being brought into court.*

§ **16.** 1. **ἔστι ὑπερβολὴ τῶν μετὰ ταῦτα**, i.e. *what follows goes beyond all measure of insolence.*

3. **τότ' ἐν τῷ δήμῳ**, i.e. in the Assembly which passed the προβολή.

5. **τέως ἂν χρησθῇ**, *until they have been used* (for a sacred purpose). Most recent editors accept τέως here, in the sense of ἕως, on the authority of the MSS. See Blass-Kühner, I. 1, p. 618, Anm. 3. Cf. xix. 326, xx. 91, ii. 21: τέως for ἕως has little good Attic authority elsewhere.

6. **ἐποιησάμην**, i.e. *I had them made*: cf. Ar. Nub. 1338, ἐδιδαξάμην.

8. **μοι** (for MSS. μου) is *dat. incommodi.*

11. **τολμήσαντ'...ποιήσαντ'**: ἀκούω takes the accus. partic. in *or. obl.* as here, *that he ever heard that any one dared*, etc.; but (like αἰσθάνομαι) it may have the genitive of a supplementary participle, as in Plat. Rep. 493 D, ἤκουσας λόγον διδόντος του; *did you ever hear anyone give an account?* (M. T. 884, 904).

§ **17.** 2. **τὸν διδάσκαλον διέφθειρε** (aor.), *he corrupted the trainer* (of my chorus). Cf. line 10.

φάνης ὁ αὐλητὴς ἀνδρῶν βέλτιστος περὶ ἐμὲ τότε ἐγένετο, καὶ τὸ πρᾶγμ' αἰσθόμενος τὸν ἄνθρωπον ἀπελάσας αὐτὸς συγκροτεῖν καὶ διδάσκειν ᾤετο δεῖν τὸν χορὸν, οὐδ' ἂν ἠγωνισάμεθ', ὦ ἄνδρες Ἀθηναῖοι, ἀλλ' ἀδίδακτος ἂν εἰσῆλθεν ὁ χορὸς καὶ πράγματ' αἴσχιστ' ἂν ἐπάθομεν. καὶ οὐδ' ἐνταῦθ' ἔστη τῆς ὕβρεως, ἀλλὰ τοσοῦτον αὐτῷ περιῆν ὥστε τὸν ἐστεφανωμένον ἄρχοντα διέφθειρε, τοὺς χορηγοὺς συνῆγεν ἐπ' ἐμὲ, βοῶν, ἀπειλῶν, ὀμνύουσι παρεστηκὼς τοῖς κριταῖς, τὰ παρασκήνια φράττων, προσηλῶν ἰδιώτης ὢν τὰ δημόσια, κακὰ καὶ πράγματ' ἀμύθητά μοι παρέχων διετέ-

4. **ἐγένετο**, *had proved* (*shown himself*).

5. **αἰσθόμενος** is past to **ἀπελάσας**.—**τὸν ἄνθρωπον**, the corrupted trainer.—**αὐτὸς**, *himself*, nominative, notwithstanding **δεῖν**: see Madvig, Synt. § 160, Rem., and Weil's note.

6. **συγκροτεῖν**, *to train* the chorus *to act together* (*weld together*): cf. ii. 17, *συγκεκροτημένοι τὰ τοῦ πολέμου, disciplined for war*.—**οὐδ' ἂν ἠγωνισάμεθ'**, i.e. *we should have been out of the contest*, with our untrained chorus (see the following words).

9. **τοσοῦτον**: sc. *τῆς ὕβρεως*.

10. **ὥστε** takes *διέφθειρε*, *συνῆγεν*, and *διετέλεσεν* without conjunctions.—**ἐστεφανωμένον**: the crown was a sign that the Archon was present in his official capacity, here a sacred one. **διέφθειρε** might be conative imperfect (but cf. line 3).

11. **συνῆγεν ἐπ' ἐμὲ**, *he leagued against me*.—**βοῶν** and **ἀπειλῶν**, **παρεστηκώς**, **φράττων** (with *προσηλῶν*) express the manner in which *κακὰ...παρέχων διετέλεσεν* (13).—**ὀμνύουσι...κριταῖς**, *standing by the judges as they were taking the oath*, with the object of influencing them by side remarks and gestures. The second *ὑπόθεσις* (§ 4) has this story: *πολλάκις καὶ ἄλλα παρηνώχλει καὶ ἐπηρέαζε, καὶ δὴ καί, ὡς ὁ Δημοσθένης λέγει, ὅτι ὀμνύντων τῶν κριτῶν τῷ καλῶς ἅπαντι δοῦναι τὴν νίκην, νύττων αὐτοὺς ὁ Μειδίας ἔλεγε 'πλὴν Δημοσθένους.' ὅθεν ὁ Δ. ἐβόα ἐλέγχων αὐτόν*.

12. **τὰ παρασκήνια φράττων**, *blocking the passages of the parascenia*: *τουτέστιν* (says the Scholiast) *ἀποφράττων τὰς ἐπὶ τῆς σκηνῆς εἰσόδους, ἵνα ὁ χορὸς ἀναγκάζηται περιιέναι διὰ τῆς ἔξωθεν εἰσόδου, καὶ οὕτω βραδύνοντος ἐκείνου συμβαίνῃ καταγελᾶσθαι τὸν Δημοσθένην*. The parascenia were two square rooms, projecting towards the auditorium from each end of the *σκηνή*, which was the building (or wall) behind the *proscenium* or open space, in which the action of the play took place, between the round orchestra and the wall of the *σκηνή*. The latter had three doors, through which the actors usually came forth. In the Dionysiac Theatre the parascenia probably opened upon the proscenium by a colonnade, through which the chorus in musical performances (not in the drama) passed on their way from their dressing-room to the orchestra through the proscenium. By blocking this passage, Midias compelled the chorus to go round by another passage to the *πάροδος* (the regular entrance of the dramatic chorus to the orchestra), and thus to mortify Demosthenes by coming in late by an unusual entrance and in a disturbed condition. The delay would naturally cause excitement in the assembled multitude. See Dörpfeld and Reisch, Das Griech. Theater, p. 255, with Tafel II.—**προσηλῶν...δημόσια**, *he, a mere common man, nailing up the public passages*.

13. **κακὰ ... παρέχων**: these words sum up the succession of outrages described in the preceding participles, most of which refer to single acts; and the force of *διετέλεσεν*, *he continued*, is felt only with *παρέχων*.

18 λεσεν. καὶ τούτων, ὅσα γ' ἐν τῷ δήμῳ γέγονεν ἢ πρὸς τοῖς κριταῖς ἐν τῷ θεάτρῳ, ὑμεῖς ἐστέ μοι μάρτυρες πάντες, ὦ ἄνδρες δικασταί. καίτοι τῶν λόγων τούτους χρὴ δικαιοτάτους ἡγεῖσθαι, οὓς ἂν οἱ καθήμενοι τῷ λέγοντι μαρτυρῶσιν ἀληθεῖς εἶναι. προδιαφθείρας τοίνυν τοὺς κριτὰς τῷ ἀγῶνι τῶν ἀνδρῶν, δύο ταῦθ' ὥσπερεὶ κεφάλαι' ἐφ' ἅπασι τοῖς ἑαυτῷ νενεανιευμένοις ἐπέθηκεν, ἐμοῦ μὲν ὕβρισε τὸ σῶμα, τῇ φυλῇ δὲ κρατούσῃ τὸν ἀγῶν' αἰτιώτατος τοῦ μὴ νικῆσαι 521
κατέστη.

19 Τὰ μὲν οὖν εἰς ἐμὲ καὶ τοὺς φυλέτας ἠσελγημένα καὶ περὶ τὴν ἑορτὴν ἀδικήματα τούτῳ πεπραγμένα, ἐφ' οἷς αὐτὸν προὐβαλόμην, ταῦτ' ἐστὶν, ὦ ἄνδρες Ἀθηναῖοι· καὶ πόλλ' ἕτερα, ὧν ὅσ' ἂν οἷός τ' ὦ διέξειμι πρὸς ὑμᾶς αὐτίκα

§ **18.** 1. *μὲν* for γ' F. 3. *δικαιοτάτους καὶ πιστοτάτους* A. 5. *προδιαφθείρας* H. Wolf; *προσδ.* MSS. 7. *νενιανιευμένοις* Σ. *εἰς τὸ σῶμα* F, vulg.
§ **19.** 2. *τὰ περὶ* A.

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§ **18.** 1. **ἐν τῷ δήμῳ**: see § 16[3].—**πρὸς τοῖς κριταῖς**, *in presence of the judges*, i.e. when they took the oath (§ 17[11]): this ceremony took place in the theatre, immediately before the musical contest. Dem. assumes that all the present judges were present in the Assembly and in the theatre on these two occasions, and therefore he brings no witnesses to testify what took place there. For the same reason he calls no witnesses to testify to the public assault in the theatre.

4. **οἱ καθήμενοι**, *those who are sitting as judges* in the case. This is a general remark, applying to any case.

5. **προδιαφθείρας**: this emendation of H. Wolf for *προσδιαφθείρας* of the MSS. seems necessary. Midias (it is said) had *previously* corrupted the judges, so that loss of the victory was added to the gross insult offered to the *χορηγός*.—**τῷ ἀγῶνι τῶν ἀνδρῶν**, with *κριτὰς*, *the judges for the contest*: *ἀνδρῶν* is opposed to *παίδων* (cf. *οἱ παῖδες* in the spurious law, § 10[9]). The chorus of Dem. is called *αὐληταῖς ἀνδράσιν* in § 156[2].

6. **κεφάλαι'... ἐπέθηκεν**, *capped the climax* of his wanton acts.

8. **κρατούσῃ** is *being the best*; **νικῆσαι** is *to gain the victory*.

III. STATEMENT OF ARGUMENT OF §§ **77—183.** (§§ **19—21**[6].) This confused passage is a brief introduction to the outrages of Midias against Demosthenes (apart from the *προβολή*) and against others, and to the general account of the life of Midias. The actual account comes in §§ 77—183, after an episode in §§ 24—76.

§ **19.** 1. **ἠσελγημένα**: see § 1[1].

3, 4. I put a colon after Ἀθηναῖοι, as *καὶ* cannot connect *ταῦτ'* to *πόλλ' ἕτερα*, which has another *ἐστὶν* implied. *ταῦτ'* refers only to the acts with which the *προβολή* is concerned (*ἐφ' οἷς αὐτὸν προὐβαλόμην*); *ἕτερα* to acts which preceded and followed the *προβολή*. *αὐτίκα μάλα* can relate only to §§ 77—127, where he recounts these *other* outrages against *himself*.

δὴ μάλα. ἔχω δὲ λέγειν καὶ πονηρίας ἑτέρας παμπληθεῖς αὐτοῦ καὶ ὕβρεις εἰς πολλοὺς ὑμῶν καὶ τολμήματα τοῦ μιαροῦ τούτου πολλὰ καὶ δεινά, ἐφ' οἷς τῶν πεπονθότων οἱ **20** μὲν, ὦ ἄνδρες δικασταὶ, καταδείσαντες τοῦτον καὶ τὸ τούτου θράσος καὶ τοὺς περὶ αὐτὸν ἑταίρους καὶ πλοῦτον καὶ τἄλλα δὴ ὅσα πρόσεστι τούτῳ, ἡσυχίαν ἔσχον, οἱ δ' ἐπιχειρήσαντες δίκην λαμβάνειν οὐκ ἠδυνήθησαν, εἰσὶ δ' οἳ διελύσαντο, ἴσως λυσιτελεῖν ἡγούμενοι. τὴν μὲν οὖν ὑπὲρ αὐτῶν δίκην ἔχουσιν οἵ γε πεισθέντες· τῆς δ' ὑπὲρ τῶν νόμων, οὓς παραβὰς οὗτος κἀκείνους ἠδίκει καὶ νῦν ἐμὲ καὶ πάντας τοὺς ἄλλους, ὑμεῖς ἐστὲ κληρονόμοι. πάντων οὖν ἁθρόων **21** ἓν τίμημα ποιήσασθε, ὅ τι ἂν δίκαιον ἡγῆσθε. ἐξελέγξω δὲ πρῶτον μὲν ὅσ' αὐτὸς ὑβρίσθην, ἔπειθ' ὅσ' ὑμεῖς· μετὰ ταῦτα δὲ καὶ τὸν ἄλλον, ὦ ἄνδρες Ἀθηναῖοι, βίον αὐτοῦ πάντ' ἐξετάσω, καὶ δείξω πολλῶν θανάτων, οὐχ ἑνὸς ὄντ' ἄξιον.

[Λέγε μοι τὴν τοῦ χρυσοχόου πρώτην λαβὼν μαρτυρίαν.]

5. αὐτοῦ παμπληθεῖς A.

§ **20.** 3. ἑτερους Σ. πλοῦτον καὶ ὕβριν A, F. τὰ ἀλλὰ Σ. 4. ὅσα δὴ A. 5. λαβεῖν A. δὲ καὶ οἱ F. 6. λυσιτελεῖν Σ, Y; λυσιτελεῖν αὐτοῖς vulg. 8. ἠδίκει τότε A.

§ **21.** 1. ἁθρόων vulg., Σ (corr. from ἀνθρώπων); ἀθρόων A, F, Y. 3. ὑμεῖς Σ^1 (ἠδίκησθε above the line by later hand); ὑμεῖς ἠδίκησθε vulg.

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5. **πονηρίας...εἰς πολλοὺς ὑμῶν**: these are told in §§ 128—142. See note on § 23.

§ **20.** 1. **τῶν πεπονθότων**: these *victims* of the insolence of Midias are divided into (1) those who kept quiet through fear, (2) those who tried to bring Midias to justice and failed, and (3) those who compromised their cases (διελύσαντο) for a consideration.

6—9. **τὴν ὑπὲρ αὐτῶν δίκην**, *the satisfaction due to themselves*, which *those who were induced to compromise* (οἱ πεισθέντες) *have secured*. But *the satisfaction due to the law* (7) has come down as a heritage to the courts, and it is their right and duty to secure this in the name of the state.

§ **21.** 2—6. In 2, 3, ἐξελέγξω...ὅσ' ὑμεῖς, we have a brief repetition of § 19[4–7]. Then follows (3—6), μετὰ...ἄξιον, a promise of a general review of the life of Midias, not previously mentioned, which we find in §§ 143—183. The relation of the whole passage (2—6) to § 19 is obscure; and it is probable that it was written with a view to a re-arrangement of the main argument, which is indicated in what follows, but was never made. On this see Appendix I.

Line 7, with the spurious μαρτυρία in § 22, has no connection with what precedes or follows.

ΜΑΡΤΤΡΙΑ.

22 [Παμμένης Παμμένους Ἐρχιεὺς ἔχω χρυσοχοεῖον ἐν τῇ ἀγορᾷ, ἐν ᾧ καταγίγνομαι καὶ ἐργάζομαι τὴν χρυσοχοϊκὴν τέχνην. ἐκδόντος δέ μοι Δημοσθένους, ᾧ μαρτυρῶ, στέφανον χρυσοῦν ὥστε 522 κατασκευάσαι καὶ ἱμάτιον διάχρυσον ποιῆσαι, ὅπως πομπεύσαι ἐν αὐτοῖς τὴν τοῦ Διονύσου πομπήν, καὶ ἐμοῦ συντελέσαντος αὐτὰ καὶ ἔχοντος παρ' ἐμαυτῷ ἕτοιμα, εἰσπηδήσας πρός με νύκτωρ Μειδίας ὁ κρινόμενος ὑπὸ Δημοσθένους, ἔχων μεθ' ἑαυτοῦ καὶ ἄλλους, ἐπεχείρησε διαφθείρειν τὸν στέφανον καὶ τὸ ἱμάτιον, καὶ τινὰ μὲν αὐτῶν ἐλυμήνατο, οὐ μέντοι πάντα γε ἠδυνήθη διὰ τὸ ἐπιφανέντα με κωλῦσαι.]

23 [Πολλὰ μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, καὶ περὶ ὧν τοὺς ἄλλους ἠδίκηκεν ἔχω λέγειν, ὥσπερ εἶπον ἐν ἀρχῇ τοῦ λόγου, καὶ συνείλοχ' ὕβρεις αὐτοῦ καὶ ἀτιμίας τοσαύτας ὅσας ἀκούσεσθ' αὐτίκα δὴ μάλα. ἦν δ' ἡ συλλογὴ ῥᾳδία· αὐτοὶ γὰρ οἱ πεπονθότες προσῆσάν μοι.] V

24 Βούλομαι δὲ πρὸ τούτων εἰπεῖν οἷς ἐπιχειρήσειν αὐτὸν ἀκήκοα ἐξαπατᾶν ὑμᾶς· τοὺς γὰρ ὑπὲρ τούτων λόγους ἐμοὶ μὲν ἀναγκαιοτάτους προειπεῖν ἡγοῦμαι, ὑμῖν δὲ χρησιμωτάτους ἀκοῦσαι. διὰ τί; ὅτι τοῦ δικαίαν καὶ εὔορκον

§ **22.** ΜΑΡΤΤΡΙΑ om. A.
§ **23.** Transferred to precede § 128.

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§ **23** has no meaning whatever where it stands; and *πρὸ τούτων* in § 24[1] has no reference to it. It was obviously written to precede the account of the outrages of Midias against others in §§ 128—142, where I have repeated it in the text.

IV. Anticipation of extenuating pleas of Midias and arguments suggested by these (§§ **24—76**).

(1) Introductory (§ 24).—(2) Objections to the use of the *προβολή* (§§ 25—28):—(3) Midias will beseech the court not to expose him to the vengeance of Demosthenes (§§ 29—35).—(4) Cases of other officials who have declined to prosecute for assaults (§§ 36—50).—(5) The offence of Midias cannot be called mere *ὕβρις*; it is *ἀσέβεια*: sacred character of the Dionysia (§§ 51—61).—(6) Famous men have allowed personal enemies to contend at festivals without molestation (§§ 62—69).—(7) The forbearance of Demosthenes in not punishing Midias in the theatre cannot be urged in defence of Midias (§§ 70—76).

§ **24.** (*Introductory.*) 1. **πρὸ τούτων** can refer only to § 21[2–6] (i.e. to §§ 77—183), what intervenes (§§ 21[7]—23) being a later insertion. See Appendix I.

4. **τοῦ...θέσθαι τὴν ψῆφον** depends on *αἴτιος ἔσται* (6), to which *κωλύσας* (5), *which will have prevented*, is past. Notice the predicate position of *δικαίαν καὶ εὔορκον* (4).

θέσθαι τὴν ψῆφον ὁ κωλύσας ἐξαπατηθῆναι λόγος ὑμᾶς 5
οὗτος αἴτιος ἔσται. πολὺ δὴ μάλιστα πάντων τούτῳ τῷ
λόγῳ προσέχειν ὑμᾶς δεῖ καὶ μνημονεῦσαι τοῦτον, καὶ πρὸς
ἕκαστον ἀπαντᾶν ὅταν οὗτος λέγῃ.

Ἔστι δὲ πρῶτον μὲν ἐκεῖν' οὐκ ἄδηλος ἐρῶν, ἐξ ὧν **25**
ἰδίᾳ πρός τινας αὐτὸς διεξιὼν ἀπηγγέλλετό μοι, ὡς εἴπερ
ἀληθῶς ἐπεπόνθειν ταῦθ' ἃ λέγω, δίκας ἰδίας μοι προσῆκεν
αὐτῷ λαχεῖν, τῶν μὲν ἱματίων καὶ τῶν χρυσῶν στεφάνων
τῆς διαφθορᾶς καὶ τῆς περὶ τὸν χορὸν πάσης ἐπηρείας, 5
523 βλάβης, ὧν δ' εἰς τὸ σῶμ' ὑβρίσθαι φημὶ, ὕβρεως, οὐ μὰ
Δί' οὐχὶ δημοσίᾳ κρίνειν αὐτὸν καὶ τίμημ' ἐπάγειν ὅ τι χρὴ
παθεῖν ἢ ἀποτεῖσαι. ἐγὼ δὲ ἓν μὲν ἐκεῖν' εὖ οἶδα, καὶ ὑμᾶς **26**
δ' εἰδέναι χρὴ, ὅτι εἰ μὴ προὐβαλόμην αὐτὸν, ἀλλ' ἐδικα-

§ **24.** 2, 3, and 6. *ἀναγκαιοτάτους ἐμοὶ μὲν* and *ἔσται αἴτιος* Σ^1, with order corrected, as in text. 5. *κωλύσας* (*ων* over *ας*) O.

§ **25.** 3. *ἀληθὲς* Σ, Y, O; *ἀληθῶς* vulg. 5. *ἀπάσης* F. 6. *ὑβρίζεσθαι* Σ, P, Y, O (with dot over *ζ* in Σ); *ὑβρίσθαι* vulg. 7. *αὐτὸν* Σ (w. erasure of one letter before it); *ἑαυτὸν* Y, O. 8. *ἀποτῖσαι* MSS.

§ **26.** 2. *δεῖ* for *δὲ* before *εἰδέναι* Σ^1. *προυβαλόμην* Σ; *προυβαλλόμην* vulg.

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7. **πρὸς ἕκαστον ἀπαντᾶν**, *to meet each of his pleas.*

§§ **25—28.** (*The use of the προβολή.*)

§ **25.** 1. **ἐρῶν** is in *or. obl.* after *οὐκ ἄδηλός ἐστι*, as often after *δηλός* and *φανερός ἐστι* (M.T. 907), *it is plain that he will say.*

3. **ἐπεπόνθειν**: Demosthenes always has this later form of the pluperfect, while the early Attic and Plato have the old Attic form in *η* (for Ionic *εα*): see Blass-Kühner, I. 2, p. 66.—**δίκας ἰδίας**, here *personal* suits, which might be either *δίκαι* or *γραφαί* in the ordinary legal sense, opposed to a special public prosecution like *προβολή* or *εἰσαγγελία*. See Cor. 210, where the distinction between *ἴδιαι* and *δημόσιαι δίκαι* relates to the nature (not to the form) of the suits. Either the private *δίκη βλάβης*, to recover damages for injury received, or the public *γραφὴ ὕβρεως*, to punish the assault, might have been legally employed against Midias. But this would have reduced Dem. to the position of an ordinary plaintiff, while the *προβολή* armed him with all the authority of the state, enforced by the unanimous vote of the sovereign people. For the *δίκη βλάβης* see Meier and Schömann, Att. Process[2], pp. 651—657; for the *γραφὴ ὕβρεως*, pp. 392—402. —**δίκας...λαχεῖν**, *to enter suits* (in the order determined by lot): see note on § 78[1].

5. **ἐπηρείας** refers to the malicious persecution described in § 17 and elsewhere, opposed to the personal assault.

7. **δημοσίᾳ** here refers to the specially public character of the *προβολή*.—**τίμημ' ἐπάγειν**, *to propose a penalty*: the *προβολή* was an *ἀγὼν τιμητός*, in which the court had the duty of *τίμησις* if the accused was convicted, i.e. to say *ὅ τι χρὴ παθεῖν ἢ ἀποτεῖσαι*. The plaintiff proposed one penalty and the convicted defendant another, between which the court usually decided. But it is probable that in the *προβολή* the court had greater freedom in deciding the penalty than in ordinary suits: see Appendix VI. § 15.

§ **26.** 2. **προὐβαλόμην**: see § 1[5].—**ἐδικαζόμην**: of the *δίκαι ἴδιαι* (§ 25[3]).

ζόμην, οὐναντίος ἦκεν ἂν εὐθύς μοι λόγος, ὡς εἴπερ ἦν τι τούτων ἀληθὲς, προβάλλεσθαι μ' ἔδει καὶ παρ' αὐτὰ τἀδικήματα τὴν τιμωρίαν ποιεῖσθαι· ὅ τε γὰρ χορὸς ἦν τῆς πόλεως, ἥ τ' ἐσθὴς τῆς ἑορτῆς ἕνεκα πᾶσα παρεσκευάζετο, ἐγώ θ' ὁ πεπονθὼς ταῦτα χορηγὸς ἦν· τίς ἂν οὖν ἑτέραν εἵλετο τιμωρίαν ἢ τὴν ἐκ τοῦ νόμου κατὰ τῶν περὶ τὴν **27** ἑορτὴν ἀδικούντων οὖσαν; ταῦτ' εὖ οἶδ' ὅτι πάντ' ἂν ἔλεγεν οὗτος τότε. φεύγοντος μὲν γὰρ, οἶμαι, καὶ ἠδικηκότος ἐστὶ τὸ τὸν παρόντα τρόπον τοῦ δοῦναι δίκην διακρουόμενον τὸν οὐκ ὄνθ' ὡς ἔδει γενέσθαι λέγειν, δικαστῶν δέ γε σωφρόνων τούτοις τε μὴ προσέχειν καὶ ὃν ἂν λάβωσιν ἀσελγαί- **28** νοντα κολάζειν. μὴ δὴ τοῦτο λέγειν αὐτὸν ἐᾶτε, ὅτι καὶ δίκας ἰδίας δίδωσιν ὁ νόμος μοι καὶ γραφὴν ὕβρεως· δίδωσι γάρ· ἀλλ' ὡς οὐ πεποίηκεν ἃ κατηγόρηκα, ἢ πεποιηκὼς οὐ περὶ τὴν ἑορτὴν ἀδικεῖ, τοῦτο δεικνύτω· τοῦτο γὰρ αὐτὸν ἐγὼ προὐβαλόμην, καὶ περὶ τούτου τὴν ψῆφον οἴσετε νῦν ὑμεῖς. εἰ δ' ἐγὼ τὴν ἐπὶ τῶν ἰδίων δικῶν πλεονεξίαν ἀφεὶς τῇ πόλει παραχωρῶ τῆς τιμωρίας, καὶ τοῦτον εἰλόμην τὸν ἀγῶν' ἀφ' οὗ μηδὲν ἔστι λῆμμα λαβεῖν ἐμοὶ, χάριν, οὐ βλάβην δήπου τοῦτ' ἂν εἰκότως ἐνέγκοι μοι παρ' ὑμῶν.

3. ἂν ἦκεν F. 4. προβάλλεσθαι Σ; προβαλέσθαι vulg. ταδικαια corr. to τἀδικήματα Σ. 6. παρεσκευάζετο Σ, vulg.; παρεσκεύαστο A, Dind. (see note below). 7. ἑτέραν Σ; ἑτέραν μᾶλλον vulg. 8. τοῦ νόμου Σ, vulg.; τῶν νόμων A.

§ 27. 1. ἂν om. P, Y, O. 2. μὲν om. Σ^1. οἶμαι vulg.; ἂν οἶμαι Σ. 3. δοῦναι A; μὴ δοῦναι Σ, vulg.

§ 28. 5. ἐγὼ om. A. 9. ἐνέγκοι μοι Σ; ἐνέγκαι μοι F; ἐνέγκοιμι P, Y, O.

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4. **τούτων**, my account of the case.—**παρ'...τἀδικήματα**, *directly after the offences*: the προβολή passed the Assembly on the day after the Pandia, which closed the Dionysia (§ 9^3), giving no time for legal formalities.

6. **παρεσκευάζετο**, i.e. *was in process of preparation.*

7. **χορηγὸς**, and so a public official.

§ 27. 2. **φεύγοντος καὶ ἠδικηκότος**, *an accused man, and a guilty one too.*

3. **τὸν παρόντα...διακρουόμενον**, *seeking to evade the process actually employed.* —**τὸν οὐκ ὄνθ'**, i.e. *some other process.*

§ 28. 2. **δίδωσι γάρ**, i.e. *this is true*, but not to the point.

4. **τοῦτο...προὐβαλόμην**: the only ground for the προβολή was the outrage against the festival.

6. **τὴν...πλεονεξίαν**: i.e. from the damages which he might have received from a private suit like the *δίκη βλάβης*, whereas in a public suit the whole *τιμωρία* belonged to the state. Here *ἰδίων δικῶν* is used in its ordinary meaning of *private suits*: cf. *δίκας ἰδίας καὶ γραφὴν ὕβρεως* in line 2.

8. **ἀφ' οὗ μηδὲν ἔστι** is a part of the conditional clause.

Οἶδα τοίνυν ὅτι καὶ τούτῳ πολλῷ χρήσεται τῷ λόγῳ, **29**
"μή με Δημοσθένει παραδῶτε, μηδὲ διὰ Δημοσθένην μ'
ἀνέλητε. ὅτι ἐκείνῳ πολεμῶ, διὰ τοῦτό μ' ἀναιρήσετε;" τὰ
524 τοιαῦτα πολλάκις οἶδ' ὅτι φθέγξεται, βουλόμενος φθόνον τιν'
ἐμοὶ διὰ τούτων τῶν λόγων συνάγειν. ἔχει δ' οὐχ οὕτω **30**
ταῦτα, οὐδ' ἐγγύς. οὐδένα γὰρ τῶν ἀδικούντων ὑμεῖς οὐδενὶ
τῶν κατηγόρων ἐκδίδοτε· οὐδὲ γὰρ ἐπειδὰν ἀδικηθῇ τις, ὡς
ἂν ἕκαστος ὑμᾶς ὁ παθὼν πείσῃ, ποιεῖσθε τὴν τιμωρίαν,
ἀλλὰ τοὐναντίον νόμους ἔθεσθε πρὸ τῶν ἀδικημάτων ἐπ' 5
ἀδήλοις μὲν τοῖς ἀδικήσουσιν, ἀδήλοις δὲ τοῖς ἀδικησομέ-
νοις. οὗτοι δὲ τί ποιοῦσιν οἱ νόμοι; πᾶσιν ὑπισχνοῦνται
τοῖς ἐν τῇ πόλει δίκην, ἂν ἀδικηθῇ τις, ἔσεσθαι δι' αὐτῶν
λαβεῖν. ὅταν τοίνυν τῶν παραβαινόντων τινὰ τοὺς νόμους
κολάζητε, οὐ τοῖς κατηγόροις τοῦτον ἐκδίδοτε, ἀλλὰ τοὺς 10
νόμους ὑμῖν αὐτοῖς βεβαιοῦτε. ἀλλὰ μὴν πρός γε τὸ τοι- **31**
οῦτον, ὅτι "Δημοσθένης" φησὶν "ὕβρισται," δίκαιος καὶ
κοινὸς καὶ ὑπὲρ ἁπάντων ἔσθ' ὁ λόγος. οὐ γὰρ εἰς Δημο-
σθένην ὄντα μ' ἠσέλγαινε μόνον ταύτην τὴν ἡμέραν, ἀλλὰ
καὶ εἰς χορηγὸν ὑμέτερον· τοῦτο δ' ὅσον δύναται, γνοίητ' 5
ἂν ἐκ τωνδί. ἴστε δήπου τοῦθ', ὅτι τῶν θεσμοθετῶν τούτων **32**

§ **29.** 2. μηδὲ for μή με A. 3. ἐκείνῳ Σ, vulg.; τούτῳ A, F. μ' om. O. 5. συνάγειν Σ; συλλέγειν Σ marg., F, vulg.

§ **30.** 2. γὰρ om. A. 4. ποιεῖσθαι Σ. 7. ποιήσουσιν Σ. 8. ἐὰν A. 10. οὐχὶ A. 11. αὐτοὺς A.

§ **31.** 2. ὑβρίσθε (or -θαι) Σ (over erasure). 6. τῶνδε A, F.

§ **29—35.** (*Fear of the Vengeance of Demosthenes.*)

§ **29.** 1. **πολλῷ χρήσεται**, *will make much use.*

2. **διὰ Δημοσθένην**, i.e. *for his sake*, to gratify him.

§ **30.** 3. **ἐκδίδοτε**, *hand over*; cf. παραδῶτε, § 29[2].

5. **ἐπ' ἀδήλοις...ἀδικησομένοις** (temporal), *when both the offenders and the offended are unknown*: cf. ἐπὶ διεφθαρμένοισι Ἴωσι, Hdt. i. 170, and ἐπ' ἐξεργασμένοισι, *with the fact accomplished*, Id. iv. 164.

8. **δίκην λαβεῖν**, the opposite of δίκην δοῦναι (§ 27[3]): cf. Thuc. i. 140[3], δίκας τῶν διαφορῶν ἀλλήλοις διδόναι καὶ δέχεσθαι.

10. **τοὺς νόμους ..βεβαιοῦτε**, *you are strengthening the laws for yourselves*, ὑμῖν αὐτοῖς is opposed to τοῖς κατηγόροις.

§ **31.** 3. **εἰς Δημ. ὄντα μέ**, i.e. *against me personally.*

5. **τοῦτο ὅσον δύναται**, *how much this means.*

§ **32.** 1. **θεσμοθετῶν τούτων**: the six Thesmothetae presided at the trial of a προβολή in court.

οὐδενὶ θεσμοθέτης ἔστ' ὄνομα, ἀλλ' ὁτιδήποθ' ἑκάστῳ. ἂν μὲν τοίνυν ἰδιώτην ὄντα τιν' αὐτῶν ὑβρίσῃ τις ἢ κακῶς εἴπῃ, γραφὴν ὕβρεως καὶ δίκην κακηγορίας ἰδίαν φεύξεται, ἐὰν δὲ θεσμοθέτην, ἄτιμος ἔσται καθάπαξ. διὰ τί; ὅτι τοὺς νόμους ἤδη ὁ τοῦτο ποιῶν προσυβρίζει καὶ τὸν ὑμέτερον κοινὸν στέφανον καὶ τὸ τῆς πόλεως ὄνομα· ὁ γὰρ θεσμοθέτης οὐδε-
33 νὸς ἀνθρώπων ἔστ' ὄνομα, ἀλλὰ τῆς πόλεως. καὶ πάλιν γε τὸν ἄρχοντα, ταὐτὸ τοῦτο, ἐὰν μὲν ἐστεφανωμένον πατάξῃς ἢ κακῶς εἴπῃς, ἄτιμος, ἐὰν δ' ἰδιώτην, ἰδίᾳ ὑπόδικος. καὶ οὐ μόνον περὶ τούτων οὕτω ταῦτ' ἔχει, ἀλλὰ καὶ περὶ πάντων 525
οἷς ἂν ἡ πόλις τιν' ἄδειαν ἢ στεφανηφορίαν ἤ τινα τιμὴν δῷ. οὕτω τοίνυν καὶ ἐμὲ, εἰ μὲν ἐν ἄλλαις τισὶν ἡμέραις ἠδίκησέ τι τούτων Μειδίας ἰδιώτην ὄντα, ἰδίᾳ καὶ δίκην προσῆκεν
34 αὐτῷ διδόναι· εἰ δὲ χορηγὸν ὄνθ' ὑμέτερον ἱερομηνίας οὔσης πάνθ' ὅσα ἠδίκηκεν ὑβρίσας φαίνεται, δημοσίας ὀργῆς καὶ τιμωρίας δίκαιός ἐστι τυγχάνειν· ἅμα γὰρ τῷ Δημοσθένει καὶ ὁ χορηγὸς ὑβρίζετο, τοῦτο δ' ἐστὶ τῆς πόλεως, καὶ

§ **32.** 4. κακηγορίας Σ (w. τ over κη).

§ **33.** 2, 3. πατάξῃς...εἴπῃς Σ; πατάξῃ τις...εἴπῃ γρ. Σ, vulg.

§ **34.** 3. δίκαιος Σ, vulg.; ἄξιος A. 4. χορηγὸς (corr. from χορὸς) Σ. πόλεως Σ, P, Y, O; πόλεως ὄνομα Σ γρ., vulg. καὶ τὸ (corr. to καί τοι) Σ; καίτοι F.

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2. **ὁτιδήποθ' ἑκάστῳ**, i.e. each has his own *name*, while *θεσμοθέτης* is only a public title (cf. 7).

3. **ἰδιώτην ὄντα**, *in his private capacity*.

4. **ἰδίαν φεύξεται**, *he will be prosecuted by* (*be the defendant in*) *a personal suit*, which would be the γραφὴ ὕβρεως for ὕβρις, and δίκη κακηγορίας for κακῶς εἰπεῖν. It is not meant (as has sometimes been thought) that the γραφὴ ὕβρεως is here classed as a private suit: we have merely the same use of *ἰδίαν* as in *δίκας ἰδίας* (§ 25[3]). See Fränkel's note 580 to Boeckh's Staatshaushaltung d. Ath.[3], p. 443.—**ἐὰν δὲ θεσμοθέτην**, *but if he does this to him when he is acting officially as Thesmothetes*.

5. **ἄτιμος καθάπαξ**, *under absolute ἀτιμία, deprived of all civic rights*: this is seen in the pitiable condition of the arbiter Straton, described in §§ 83—87. There was also partial ἀτιμία, as when a plaintiff failed to get one-fifth of the votes of the court in a public suit: see my larger edition of De Corona, p. 331, note 3.

6. **κοινὸν στέφανον**, *public* (*official*) *crown*, his badge of office.

§ **33.** 2. **τὸν ἄρχοντα**, *the Archon*, stands outside of *ἐὰν μὲν* and *ἐὰν δὲ*, as belonging to both clauses.—**ταὐτὸ τοῦτο**, *in the same way* (so § 39[6]).

5. **ἄδειαν ἢ στεφανηφορίαν ἤ τινα τιμὴν** signifies *inviolability secured by wearing a crown or holding any position of honour, or granted on any other ground*.

§ **34.** 1. **ἱερομηνίας**: αἱ ἑορτώδεις ἡμέραι ἱερομηνίαι καλοῦνται. Harp. See Buttmann's Index.

2. **πάνθ'** is cognate object of **ὑβρίσας**: cf. Plat. Leg. 885 B, ὅσα περὶ θεοὺς ὑβρίζει τις.

4, 5. **ἐστὶ τῆς πόλεως**, *is a matter of public concern*.—**καὶ τὸ...ἡμέραις**: sc. ὑβρίζειν: i.e. the fact that the outrage

τὸ ταύταις ταῖς ἡμέραις, αἷς οὐκ ἐῶσιν οἱ νόμοι. χρὴ δ', 5
ὅταν μὲν τιθῆσθε τοὺς νόμους, ὁποῖοί τινές εἰσι σκοπεῖν,
ἐπειδὰν δὲ θῆσθε, φυλάττειν καὶ χρῆσθαι· καὶ γὰρ εὔορκα
ταῦθ' ὑμῖν ἐστι καὶ ἄλλως δίκαια. ἦν ὁ τῆς βλάβης ὑμῖν 35
νόμος πάλαι, ἦν ὁ τῆς αἰκίας, ἦν ὁ τῆς ὕβρεως. εἰ τοίνυν
ἀπέχρη τοὺς τοῖς Διονυσίοις τι ποιοῦντας τούτων κατὰ τού-
τους τοὺς νόμους δίκην διδόναι, οὐδὲν ἂν προσέδει τοῦδε τοῦ
νόμου. ἀλλ' οὐκ ἀπέχρη. σημεῖον δέ· ἔθεσθ' ἱερὸν νόμον 5
αὐτῷ τῷ θεῷ περὶ τῆς ἱερομηνίας. εἴ τις οὖν κἀκείνοις τοῖς
προϋπάρχουσι νόμοις καὶ τούτῳ τῷ μετ' ἐκείνους τεθέντι καὶ
πᾶσι τοῖς λοιποῖς ἔστ' ἔνοχος, ὁ τοιοῦτος πότερα μὴ δῷ διὰ
τοῦτο δίκην ἢ <κἂν> μείζω δοίη δικαίως; ἐγὼ μὲν οἶμαι
μείζω. 10

Ἀπήγγελλε τοίνυν τίς μοι περιιόντ' αὐτὸν συλλέγειν καὶ 36

7. εὔορκα Σ, F (w. ἐν over line); ἔνορκα A.

§ **35.** 2. αικειας (w. ι over ει) Σ. 4. ἂν ὑμῖν A, F. τοῦδε Σ, vulg.; τούτου A. 9. <κἂν> G. H. Schaefer.

§ **36.** 1. περιοντ' Σ.

was committed on one of the sacred days, when the law (§ 35[5]) made it a specially grave offence, is also a concern of the state. Reiske's emendation *καὶ ταῦτ' αὐταῖς* is needless, if *ὄνομα* is omitted (with Σ) after *πόλεως* (4).

6, 7. **ὅταν τιθῆσθε τοὺς νόμους**, when *you are enacting laws*, opposed to **ἐπειδὰν θῆσθε**, *after you have enacted them* (*after their enactment*). The distinction of present and aorist subjunctive is not one of time, but of progress and completion; the change of time being introduced by *ἐπειδάν*, *postquam*, *after that*, opposed to *ὅταν* (with pres. subj.), *while*. (M.T. 90.) This passage is sometimes used to show that the aor. subj. may express past time of itself (see Krüger, § 53, 6[5]).

§ **35.** 2. **ὁ τῆς αἰκίας**: there was a *δίκη αἰκίας*, which greatly resembled the *δίκη βλάβης*: the former is said to have applied only to one who *struck the first blow*; see [Dem.] xlvii. 7, *ὁπότερος ἡμῶν ἦρξε χειρῶν ἀδίκων, τοῦτο γάρ ἐστιν ἡ αἰκία*. The suit was brought to recover damages for the insult and the disgrace, not for injury sustained. See Meier and Schömann[2], pp. 647—649. **εἰ ἀπέχρη**, *if it had been sufficient*; *οὐκ ἀπέχρη* in 5 shows that *ἀπέχρη* here and *προσέδει* in 4 are past.

5. **ἱερὸν νόμον**, the real law cited in § 8.

6. **τῷ θεῷ**, to enforce respect for his festival.

8. **μὴ δῷ...δίκην**; (M. T. 289), *shall he escape punishment because he has broken so many laws?*

9. **μείζω δοίη** without *ἄν* is unexampled in such a sentence, especially after *μὴ δῷ*, and I cannot now accept the explanation given in M. T. 292. I now adopt Schaefer's insertion of *κἄν*, which gives an ordinary potential optative, with the meaning, *or would he justly suffer still greater punishment on this account?*

§§ **36—50.** (*Cases of Other Officials who did not prosecute for assaults.*)

§ **36.** 1. **περιιόντ' συλλέγειν**, *that he goes about collecting information*. We rather expect the reverse construction, as in Plat. Apol. 30 A, *πράττων περιέρχομαι*. But here *περιέναι* would be future in *or. obl.* (M. T. 30).

πυνθάνεσθαι τίσι πώποτε συμβέβηκεν ὑβρισθῆναι, καὶ λέγειν τούτους καὶ διηγεῖσθαι πρὸς ὑμᾶς μέλλειν,—οἷον, ὦ ἄνδρες Ἀθηναῖοι, τὸν πρόεδρον ὅν ποτέ φασιν ἐν ὑμῖν ὑπὸ Πολυζήλου πληγῆναι, καὶ τὸν θεσμοθέτην ὃς ἔναγχος ἐπλήγη τὴν αὐλητρίδ' ἀφαιρούμενος, καὶ τοιούτους τινάς,—ὡς, ἐὰν πολλοὺς ἑτέρους δεινὰ καὶ πολλὰ πεπονθότας ἐπιδείξῃ, ἧττον 526
37 ὑμᾶς ἐφ' οἷς ἐγὼ πέπονθ' ὀργιουμένους. ἐμοὶ δ' αὖ τοὐναντίον, ὦ ἄνδρες Ἀθηναῖοι, δοκεῖτε ποιεῖν ἂν εἰκότως, εἴπερ τοῦ κοινῇ βελτίστου δεῖ μέλειν ὑμῖν. τίς γὰρ οὐκ οἶδεν ὑμῶν τοῦ μὲν πολλὰ τοιαῦτα γίγνεσθαι τὸ μὴ κολάζεσθαι τοὺς ἐξαμαρτάνοντας αἴτιον ὄν, τοῦ δὲ μηδέν' ὑβρίζειν τὸ λοιπὸν τὸ δίκην τὸν ἀεὶ ληφθέντ' ἣν προσήκει διδόναι μόνον αἴτιον ἂν γενόμενον; εἰ μὲν τοίνυν ἀποτρέψαι συμφέρει τοὺς ἄλλους, τοῦτον καὶ δι' ἐκεῖνα κολαστέον, καὶ μᾶλλόν

§ **37.** 2, 3. εἴπερ ὑπὲρ τοῦ A, F. 5. ὄν om. A. 7. νόμον (for μόνον) A.

3. **λέγειν τούτους...μέλλειν**, *that these* (who failed to prosecute) *will tell their stories to you*, i.e. as advocates or witnesses in behalf of Midias.—**οἷον**, *for example.*

4. **τὸν πρόεδρον** (taking the case of τούτους) : this was probably the ἐπιστάτης τῶν προέδρων, who at this time presided over both Senate and Assembly (see note on § 9[4]).

6. **ἀφαιρούμενος**, *rescuing* or *trying to rescue.* It is not clear in what capacity the Thesmothetes was acting here. Ulpian tells us that the Thesmothetae νύκτωρ περιόντες ἐσκόπουν μή τινες ἁρπαγαὶ γίγνωνται, which looks like a remark based on the present passage. It seems most probable that the Thesmothetes was acting officially, for otherwise Dem. would have dwelt on this distinction between this case and his own. It may have been a case of ἐφήγησις (see Meier and Schömann, p. 293), in which the officer was 'brought in' to prevent the threatened abduction of the flute-girl. Such abduction would have been ὕβρις, an offence which came under the jurisdiction of the Thesmothetae ; and we know that for some common offences, as theft, ἀπαγωγὴ and ἐφήγησις could be employed. See xxii. 27: οἷον τῆς κλοπῆς. ἔρρωσαι καὶ σαυτῷ πιστεύεις; ἄπαγε, ἐν χιλίαις δ' ὁ κίνδυνος. ἀσθενέστερος εἶ; τοῖς ἄρχουσιν ἐφήγου· τοῦτο ποιήσουσιν ἐκεῖνοι. οὐδέτερον βούλει τούτων; γραφοῦ. καταμέμφῃ σαυτὸν καὶ πένης ὢν οὐκ ἂν ἔχοις χιλίας ἐκτεῖσαι; δικάζου κλοπῆς πρὸς διαιτητὴν καὶ οὐ κινδυνεύσεις. We know very little of the manner in which ἐφήγησις was employed in practice, especially as to the difficulty of bringing the magistrate from his office to the spot in time to arrest an offender ἐπ' αὐτοφώρῳ. See Appendix VI. C.—**ὡς...ὀργιουμένους**, *in the thought that you will be less wrathful*, etc. (M. T. 864).

7. **δεινὰ καὶ πολλὰ** acc. to Schaefer, gives πολλὰ more emphasis than the common πολλὰ καὶ δεινά.

§ **37.** 3. **τοῦ κοινῇ βελτίστου**: *what is most for the public good.*

4, 5. **τὸ μὴ κολάζεσθαι** is present in time with αἴτιον ὄν, while the following τοῦ μηδὲν ὑβρίζειν and διδόναι are future with αἴτιον ἂν γενόμενον.

6. **τὸν ἀεὶ ληφθέντ'**, *each one who is detected.*

8. **καὶ δι' ἐκεῖνα**, i.e. *also because of the cases which escape punishment.*

γε ὅσῳ περ ἂν ᾖ πλείω καὶ μείζω· εἰ δὲ παροξῦναι καὶ τοῦτον καὶ πάντας, ἐατέον. ἔτι τοίνυν οὐδ' ὁμοίαν οὖσαν **38** τούτῳ κἀκείνοις συγγνώμην εὑρήσομεν. πρῶτον μὲν γὰρ ὁ τὸν θεσμοθέτην πατάξας τρεῖς εἶχε προφάσεις, μέθην, ἔρωτα, ἄγνοιαν διὰ τὸ σκότους καὶ νυκτὸς τὸ πρᾶγμα γενέσθαι. ἔπειθ' ὁ Πολύζηλος ὀργῇ καὶ τρόπου προπετείᾳ φθάσαι τὸν λογισμὸν ἁμαρτὼν ἔφησεν· οὐ γὰρ ἐχθρός γ' ὑπῆρχεν ὤν, οὐδ' ἐφ' ὕβρει τοῦτ' ἐποίησεν. ἀλλ' οὐ Μειδίᾳ τούτων οὐδὲν ἔστ' εἰπεῖν· καὶ γὰρ ἐχθρὸς ἦν, καὶ μεθ' ἡμέραν εἰδὼς ὕβριζεν. καὶ οὐκ ἐπὶ τούτου μόνον, ἀλλ' ἐπὶ πάντων φαίνεται προῃρημένος μ' ὑβρίζειν. καὶ μὴν οὐδὲ τῶν πεπραγμένων ἐμοὶ καὶ **39** τούτοις οὐδὲν ὅμοιον ὁρῶ. πρῶτον μὲν γὰρ ὁ θεσμοθέτης οὐχ ὑπὲρ ὑμῶν οὐδὲ τῶν νόμων φροντίσας οὐδ' ἀγανακτήσας φανήσεται, ἀλλ' ἰδίᾳ πεισθεὶς ὁπόσῳ δήποτ' ἀργυρίῳ, καθυφεὶς τὸν ἀγῶνα· ἔπειθ' ὁ πληγεὶς ἐκεῖνος ὑπὸ τοῦ Πολυζήλου, ταὐτὸ τοῦτο, ἰδίᾳ διαλυσάμενος, ἐρρῶσθαι πολλὰ τοῖς
527 νόμοις εἰπὼν καὶ ὑμῖν, οὐδ' εἰσήγαγε τὸν Πολύζηλον. εἰ **40**

9. ᾖ om. A. πλειωι Σ.

[§§ 38—41 in Σ, F and B are obelized.]

§ **38.** 4. γεγενῆσθαι A. 5. Πολύζηλος ἐκεῖνος former vulg.; ἐκεῖνος om. Σ, F, Y, O. φθάσαι...ἔφησεν Σ; φθάσας...ἔπαισεν A; προφθάσας...ἔπεσεν γρ. Σ; φθασαι (w. s over ι) ἔφησεν F. 8. ὑβριζεν Σ. 9. τούτου Σ, vulg.; τούτων (ου over ων) F.

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9. **παροξῦναι**, *to encourage.*

10. **ἐατέον**, *we must leave them* unpunished.

§ **38.** 1. **οὐδ' ὁμοίαν...συγγνώμην**, *not even like ground for consideration*, i.e. much less for Midias.

2. **ὁ...πατάξας**: see § 36[5].

3. **μέθην, ἔρωτα, ἄγνοιαν**: Weil refers to Ter. Ad. iii. 4, 24, persuasit nox, amor, uinum, adulescentia ("sans doute d'après Ménandre").

5. **Πολύζηλος**: see 36[5].—**προπετείᾳ** (προπίπτω), *headlong recklessness.*—**φθάσαι τὸν λογισμὸν ἁμαρτὼν ἔφησεν**, *he said that he committed the act when he had lost his wits*; i.e. he said ἔφθασα τὸν λογισμὸν ἁμαρτών, where **ἔφθασα ἁμαρτών** is the familiar participial construction (M. T. 887), and ἔφθασα τὸν λογισμόν is, *I got ahead of my wits*, i.e. *left them behind me.* Hdt. iv. 136, ἔφθησαν πολλῷ τοὺς Πέρσας ἀπικόμενοι, *they arrived long before the Persians*; and Xen. An. iii. 4, 49, φθάνουσιν ἐπὶ τῷ ἄκρῳ γενόμενοι τοὺς πολεμίους. Cf. § 41[8], τὸν λογισμὸν φθάσας.

6. **οὐ...ὑπῆρχεν ὤν**, *he was not an avowed enemy.*

9. **ἐπὶ τούτου**, *on this occasion*, opposed to ἐπὶ πάντων.

§ **39.** 1. **τῶν πεπραγμένων ἐμοὶ**, *my course* in bringing my case to trial.

4. **ὁπόσῳ δήποτ' ἀργυρίῳ**, *by whatever sum it may have been.*—**καθυφεὶς**, *or. obl.* with φανήσεται: cf. τῷ μὴ καθυφεῖναι, Cor. 107[3].

6. **ταὐτὸ τοῦτο**: cf. τοὐναντίον, § 40[5].—**ἐρρῶσθαι πολλὰ...ὑμῖν**: cf. Cor. 152[6], ἐρρῶσθαι φράσας πολλὰ Κιρραίοις.—**τοῖς νόμοις**: cf. l. 3.

7. **οὐδ' εἰσήγαγε** (sc. εἰς τὸ δικαστήριον), *did not even prosecute him.*

μὲν τοίνυν ἐκείνων κατηγορεῖν βούλεταί τις ἐν τῷ παρόντι, δεῖ λέγειν ταῦτα, εἰ δ' ὑπὲρ ὧν ἐγὼ τούτου κατηγόρηκ' ἀπολογεῖσθαι, πάντα μᾶλλον ἢ ταῦτα λεκτέα. πᾶν γὰρ τοὐναντίον ἐκείνοις αὐτὸς μὲν οὔτε λαβὼν οὐδὲν οὔτ' ἐπιχειρήσας λαβεῖν φανήσομαι, τὴν δ' ὑπὲρ τῶν νόμων καὶ τὴν ὑπὲρ τοῦ θεοῦ καὶ τὴν ὑπὲρ ὑμῶν τιμωρίαν δικαίως φυλάξας καὶ νῦν ἀποδεδωκὼς ὑμῖν. μὴ τοίνυν ἐᾶτε ταῦτ' αὐτὸν λέγειν, μηδ', ἂν βιάζηται, πείθεσθ' ὡς δίκαιόν τι λέγοντι.

41 ἂν γὰρ ταῦθ' οὕτως ἐγνωσμέν' ὑπάρχῃ παρ' ὑμῖν, οὐκ ἐνέσται αὐτῷ λόγος οὐδὲ εἷς. ποία γὰρ πρόφασις, τίς ἀνθρωπίνη καὶ μετρία σκῆψις φανεῖται τῶν πεπραγμένων αὐτῷ; ὀργὴ νὴ Δία· καὶ γὰρ τοῦτο τυχὸν λέξει. ἀλλ' ἃ μὲν ἄν τις ἄφνω τὸν λογισμὸν φθάσας ἐξαχθῇ πρᾶξαι, κἂν ὑβριστικῶς ποιήσῃ, δι' ὀργήν γ' ἔνι φῆσαι πεποιηκέναι· ἃ δ' ἂν ἐκ πολλοῦ συνεχῶς ἐπὶ πολλὰς ἡμέρας παρὰ τοὺς νόμους πράττων τις φωρᾶται, οὐ μόνον δήπου τοῦ μὴ μετ'

§ **40.** 4. λεκτέα Σ, A; λεκτέον vulg. παντα (corr. to πᾶν) Σ^1, Y. 5. οὐδὲν om. A. 8. αὐτὸν ταῦτα A. 9. πείθεσθαι (αι corr. to ε) Σ.

§ **41.** 2. ἔνεστ' Σ; ἔνεσται vulg. οὐδ' εἷς Σ. 4. ἀλλ' ἃ μὲν ἄν τις... ἐξαχθῇ πρᾶξαι γρ. Σ; ἀλλὰ μὴν ἄν τις κ.τ.λ. Σ^1; τι πρᾶξαι A, F. 6. ποιήσῃ Σ, Y, O; τι ποιήσῃ A; τοῦτο ποιήσῃ vulg. δι' ὀργὴν Σ (marg.). γ' ἔνι om. Y, O.

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§ **40.** 3. **δεῖ λέγειν ταῦτα κ.τ.λ.**, i.e. all this would do very well as an accusation against these men, but it is worthless as a defence of Midias.

5. **αὐτὸς**, *ipse*, sc. ἐγώ.

6. **τὴν...τιμωρίαν**, i.e. the duty of *avenging the laws* etc.: this is the trust which he *has justly guarded and has now restored to the court*, whose right it is. For ἀποδίδωμι, *restore*, see Aeschin. iii. 83, εἰ δίδωσιν ἀλλὰ μὴ ἀποδίδωσιν, περὶ συλλαβῶν διαφερόμενος.

8. **μὴ...λέγειν**, i.e. *stop his argument* by showing your displeasure.

9. **ἂν βιάζηται**, *if he violently persists* (in talking).

§ **41.** 1. **ἂν...ἐγνωσμέν' ὑπάρχῃ**, i.e. *if it is once understood that this is your resolution on these matters*: cf. Cor. 228[2], ὑμᾶς ὑπάρχειν ἐγνωσμένους, and 95[4], ὑπάρχειν εἰδότας, with notes.—**οὐκ...οὐδὲ εἷς**, *he will not have a word to say, not one.*

3. **ἀνθρωπίνη καὶ μετρία**, i.e. *that any decent man could urge* (King).

4. **τυχὸν**, *perhaps* (acc. absol.): cf. Cor. 221[2], τυχὸν ἀναισθητῶν.—**ἀλλ' ἃ μὲν...ἐξαχθῇ πρᾶξαι**, *but whatever a man is driven to do suddenly* etc. I adopt this reading, rather than ἀλλὰ μὴν ἄν τις (Σ and Galen), on discovering that Σ has merely ποιήσῃ in l. 6, not τοῦτο ποιήσῃ, as is generally stated (see Dind., Weil, Blass, King). Without τοῦτο here and τι before πρᾶξαι (5), ἃ seems necessary to provide an object for πρᾶξαι, ποιήσῃ, and πεποιηκέναι.

5. **τὸν λογισμὸν φθάσας**: cf. § 38[5].

8. **τοῦ μὴ μετ' ὀργῆς** (sc. πράττειν) **ἀπέχει** *he is far from doing these acts in high temper*: μὴ merely strengthens the negation implied in ἀπέχει (M. T. 807 *d*), as in Xen. An. iii. 5, 11, δύο ἄνδρας ἔξει τοῦ μὴ καταδῦναι.

ὀργῆς ἀπέχει, ἀλλὰ καὶ βεβουλευμένως ὁ τοιοῦτος ὑβρίζων ἐστὶν ἤδη φανερός.

Ἀλλὰ μὴν ὁπηνίκα καὶ πεποιηκὼς ἃ κατηγορῶ καὶ ὕβρει **42** πεποιηκὼς φαίνεται, τοὺς νόμους ἤδη σκοπεῖν δεῖ, ὦ ἄνδρες δικασταί· κατὰ γὰρ τούτους δικάσειν ὀμωμόκατε. καὶ θεωρεῖθ' ὅσῳ μείζονος ὀργῆς καὶ ζημίας ἀξιοῦσι τοὺς ἑκουσίως καὶ δι' ὕβριν πλημμελοῦντας τῶν ἄλλως πως ἐξαμαρτανόντων. πρῶτον μὲν τοίνυν οἱ περὶ τῆς βλάβης οὗτοι **43** 528 νόμοι πάντες, ἵν' ἐκ τούτων ἄρξωμαι, ἂν μὲν ἑκὼν βλάψῃ, διπλοῦν, ἂν δ' ἄκων, ἁπλοῦν τὸ βλάβος κελεύουσιν ἐκτίνειν. εἰκότως· ὁ μὲν γὰρ παθὼν πανταχοῦ βοηθείας δίκαιος τυγχάνειν, τῷ δράσαντι δ' οὐκ ἴσην τὴν ὀργήν, ἂν θ' ἑκὼν ἂν τ' ἄκων, ἔταξεν ὁ νόμος. ἔπειθ' οἱ φονικοὶ τοὺς μὲν ἐκ προνοίας ἀποκτιννύντας θανάτῳ καὶ ἀειφυγίᾳ καὶ δημεύσει τῶν ὑπαρχόντων ζημιοῦσι, τοὺς δ' ἀκουσίως αἰδέσεως καὶ φιλαν-

9. *βεβουλευμένως* Σ ; *βεβουλευμένος* vulg. 10. *φανερῶς* A.

§ **42.** 1. *ὕβρει* (corr. from *ὕβρις*?) Σ ; *ὕβριν* Y, O. 2. *σκοπεῖν δεῖ* Σ, P, Y, O ; *δεῖ σκοπεῖν* vulg.

§ **43.** 2. *ἑκὼν* Σ, P, Y, O ; *ἑκών τις* vulg. 4. *δίκαιος* Σ ; *δίκαιός ἐστι* vulg. 7. *ἀποκτεινύντας* Σ ; *ἀποκτιννύντας* vulg.

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9. **βεβουλευμένως ὑβρίζων**, *or. obl.* with *ἐστὶν φανερός*.

10. **ἤδη**, *without more words*.

§ **42.** 1. **ὁπηνίκα**: causal (see Liddell and Scott).

3. **κατὰ τούτους**: the first clause in the Heliastic oath was *ψηφιοῦμαι κατὰ τοὺς νόμους*, Aeschin. iii. 6.

4. **ἀξιοῦσι**, *think deserving*: sc. *οἱ νόμοι*.

§ **43.** 1. **βλάβης**: see note on § 25[3]. For an elaborate discussion of three kinds of *βλάβη*, viz. *ἁμαρτήματα*, *ἀτυχήματα*, and *ἀδικήματα*, see [Arist.] Eth. v. 8, §§ 6—8.

2. **βλάψῃ**: sc. *ὁ βλάπτων*.

4. **πανταχοῦ**, *under all circumstances*. —**βοηθείας**, *help, recompense*.

7. **θανάτῳ καὶ ἀειφυγίᾳ**: there is no inconsistency here. The Attic law punished homicide *with malice aforethought* (*ἐκ προνοίας*) by death, if the offender abided his trial and was sentenced after conviction. But he was allowed to withdraw at the end of the first of the three days' trial, and he was then given the protection of the law to the Attic borders, and so long as he remained in exile (see xxiii. 38) : this is *ἀειφυγία*. See Aeschyl. Eum. 92, 93. If he returned to Attica, he was an outlaw and could either be killed with impunity or arrested by *ἀπαγωγή* and put to death by the law. Confiscation of property (*δήμευσις*) was part of the penalty in either case.

8. **αἰδέσεως**, *respect, consideration*. As a law term, *αἴδεσις* meant the *reconciliation* which one of the relatives of the person killed might make with an involuntary homicide. See xxxvii. 59, *ἐὰν ἑλών τις ἀκουσίου φόνου καὶ σαφῶς ἐπεδείξας μὴ καθαρὸν, μετὰ ταῦτ' αἰδέσηται καὶ ἀφῇ, οὐκέτ' ἐκβαλεῖν κύριος τὸν αὐτόν ἐστιν*. Such homicides are described in xxiii. 45 as *τῶν ἀνδροφόνων τῶν ἐξεληλυθότων, ὧν τὰ χρήματα ἐπίτιμα* (the words of the law). The goods of such an involuntary homicide (*ἀκούσιος*) were not confiscated.

44 θρωπίας πολλῆς ἠξίωσαν. οὐ μόνον δ' ἐπὶ τούτων τοῖς ἐκ προαιρέσεως ὑβρισταῖς χαλεποὺς ὄντας ἰδεῖν ἔστι τοὺς νόμους, ἀλλὰ καὶ ἐφ' ἁπάντων. τί γὰρ δή ποτ', ἄν τις ὀφλὼν δίκην μὴ ἐκτίνῃ, οὐκέτ' ἐποίησεν ὁ νόμος τὴν ἐξούλην ἰδίαν, ἀλλὰ προστιμᾶν ἐπέταξε τῷ δημοσίῳ; καὶ πάλιν τί δή ποτ', ἂν μὲν ἑκὼν παρ' ἑκόντος τις λάβῃ τάλαντον ἓν ἢ δύ' ἢ δέκα καὶ ταῦτ' ἀποστερήσῃ, οὐδὲν αὐτῷ πρὸς τὴν πόλιν ἐστὶν, ἂν δὲ μικροῦ πάνυ τιμήματος ἄξιόν τις λάβῃ, βίᾳ δὲ τοῦτ' ἀφέληται, τὸ ἴσον τῷ δημοσίῳ προστιμᾶν οἱ **45** νόμοι κελεύουσιν ὅσον περ δὴ τῷ ἰδιώτῃ; ὅτι πάνθ' ὅσα τις βιαζόμενος πράττει κοινὰ ἀδικήματα καὶ κατὰ τῶν ἔξω τοῦ πράγματος ὄντων ἡγεῖθ' ὁ νομοθέτης· τὴν μὲν γὰρ ἰσχὺν ὀλίγων, τοὺς δὲ νόμους ἁπάντων εἶναι, καὶ τὸν μὲν πεισθέντ' ἰδίας, τὸν δὲ βιασθέντα δημοσίας δεῖσθαι βοηθείας. διόπερ καὶ τῆς ὕβρεως αὐτῆς τὰς μὲν γραφὰς ἔδωκεν ἅπαντι τῷ βουλομένῳ, τὸ δὲ τίμημ' ἐποίησεν ὅλον δημόσιον· τὴν γὰρ πόλιν ἡγεῖτ' ἀδικεῖν, οὐ τὸν παθόντα μόνον, τὸν ὑβρίζειν ἐπιχειροῦντα, καὶ δίκην ἱκανὴν τὴν τιμωρίαν εἶναι 529 τῷ παθόντι, χρήματα δ' οὐ προσήκειν τῶν τοιούτων ἐφ'

§ **44.** 4. ὀφλὼν vulg.; ὀφείλων A. ἐκτίσῃ A, F. ἐξούλην A, F; ἐξουλὴν Σ; ἐξούλης vulg. 7. ἢ καὶ δέκα F. 10. δὴ vulg.; ἂν A; om. F. After ἰδιώτῃ; vulg. διὰ τί; om. Σ, Y, P¹, O¹.

§ **45.** 1. ὅσα ἂν...πράττει A. 8. οὐ Σ; οὐχὶ vulg. 9. τὴν om. Σ.

This αἴδεσις gave the homicide the right to return to his home after a certain time, and after performing certain purifications and other ceremonies. See Aesch. Eumen. 79—84.

§ **44.** 4. **οὐκέτ'...ἰδίαν**, *the law was not content with making* (οὐκέτ' ἐποίησεν) *the ejectment suit* (ἐξούλην) *personal* (ἰδίαν), i.e. with merely doing justice to the injured plaintiff.

5. **προστιμᾶν τῷ δημοσίῳ**, the law ordered *the assessment of an additional penalty* (a fine), *for the public treasury*. προστιμᾶν is the assessment of a τιμή in addition to the ordinary damages in a private suit. The few processes in which this was permitted, of which the δίκη ἐξούλης was one, thus combined the characters of δίκη and γραφή. See Meier and Schömann², pp. 218—220. For the δίκη ἐξούλης, see Appendix VI. G.

8. **μικροῦ πάνυ τιμήματος ἄξιον**, *anything which would deserve only a very slight penalty* (for the mere abstraction).

10. **κελεύουσιν**: sc. τοὺς δικαστάς.

§ **45.** 2. **καὶ** connects κοινὰ and κατὰ τῶν...ὄντων, both qualifying ἀδικήματα. Those who are ἔξω τοῦ πράγματος are the citizens generally.

4. **τὸν πεισθέντ'**: cf. 44⁶, ἂν ἑκὼν παρ' ἑκόντος λάβῃ.

6. **τῆς ὕβρεως αὐτῆς**, *the mere insult*. —**τὰς γραφάς**, i.e. the mere *right to prosecute*, opposed to τὸ τίμημα, the substantial *payment of money*, to which the law did not entitle the injured party.

9. **δίκην ἱκανὴν**, *satisfaction enough* —**τὴν τιμωρίαν**, *the offender's punishment*.

ἑαυτῷ λαμβάνειν. καὶ τοσαύτῃ γ' ἐχρήσαθ' ὑπερβολῇ, **46**
ὥστε κἂν εἰς δοῦλον ὑβρίζῃ τις, ὁμοίως ἔδωκεν ὑπὲρ τούτου
γραφήν. οὐ γὰρ ὅστις ὁ πάσχων ᾤετο δεῖν σκοπεῖν, ἀλλὰ
τὸ πρᾶγμ' ὁποῖόν τι τὸ γιγνόμενον· ἐπειδὴ δ' εὗρεν οὐκ
ἐπιτήδειον, μήτε πρὸς δοῦλον μήθ' ὅλως ἐξεῖναι πράττειν
ἐπέτρεψεν. οὐ γὰρ ἔστιν, οὐκ ἔστιν, ὦ ἄνδρες Ἀθηναῖοι,
τῶν πάντων οὐδὲν ὕβρεως ἀφορητότερον, οὐδ' ἐφ' ὅτῳ μᾶλλον
ὑμῖν ὀργίζεσθαι προσήκει. ἀνάγνωθι δ' αὐτόν μοι τὸν τῆς
ὕβρεως νόμον· οὐδὲν γὰρ οἷον ἀκούειν αὐτοῦ τοῦ νόμου.

ΝΟΜΟΣ.

[Ἐάν τις ὑβρίσῃ εἴς τινα, ἢ παῖδα ἢ γυναῖκα ἢ ἄνδρα, τῶν **47**
ἐλευθέρων ἢ τῶν δούλων, ἢ παράνομόν τι ποιήσῃ εἰς τούτων τινά,
γραφέσθω πρὸς τοὺς θεσμοθέτας ὁ βουλόμενος Ἀθηναίων οἷς
ἔξεστιν, οἱ δὲ θεσμοθέται εἰσαγόντων εἰς τὴν ἡλιαίαν τριάκοντα
ἡμερῶν ἀφ' ἧς ἂν <ᾖ> ἡ γραφή, ἐὰν μή τι δημόσιον κωλύῃ, εἰ δὲ
μή, ὅταν ᾖ πρῶτον οἷόν τε. ὅτου δ' ἂν καταγνῷ ἡ ἡλιαία, τιμάτω
περὶ αὐτοῦ παραχρῆμα, ὅτου ἂν δοκῇ ἄξιος εἶναι παθεῖν ἢ ἀποτῖ-
σαι. ὅσοι δ' ἂν γράφωνται γραφὰς ἰδίας κατὰ τὸν νόμον, ἐάν τις
μὴ ἐπεξέλθῃ ἢ ἐπεξιὼν μὴ μεταλάβῃ τὸ πέμπτον μέρος τῶν ψήφων,
ἀποτισάτω χιλίας δραχμὰς τῷ δημοσίῳ. ἐὰν δὲ ἀργυρίου τιμηθῇ
τῆς ὕβρεως, δεδέσθω, ἐὰν ἐλεύθερον ὑβρίσῃ, μέχρι ἂν ἐκτίσῃ.]

Ἀκούετ', ὦ ἄνδρες Ἀθηναῖοι, τοῦ νόμου τῆς φιλανθρω- **48**
πίας, ὃς οὐδὲ τοὺς δούλους ὑβρίζεσθαι ἀξιοῖ. τί οὖν πρὸς
θεῶν; εἴ τις εἰς τοὺς βαρβάρους ἐνεγκὼν τὸν νόμον τοῦτον,

§ **46.** 4. ἐπεὶ A. 5. ταῦτα πράττειν A. 6. ἐπέτρεψεν Σ, P, Y, O, γρ. F; ἐπέταξεν vulg. οὐκ ἔστιν om. O. 8. μοι λαβὼν vulg.; λαβὼν om. Σ, P, O, A.

§ **47.** ΝΟΜΟΣ om. A.

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§ **46.** 2. **ὁμοίως**, just as if he were a freeman.

5. **μήθ' ὅλως, ἐξεῖναι ἐπέτρεψεν**, *nor* (to anybody) *at all.*—*did he grant any permission.*

6. **οὐκ ἔστιν**: for *οὐκ ἔστιν* repeated, see Cor. 208[1], the oath by the heroes of Marathon.

§ **48.** 3. **εἰς τοὺς βαρβάρους**: Weil quotes Hecuba to Ulysses in Eur. Hec. 291:—

νόμος δ' ἐν ὑμῖν τοῖς τ' ἐλευθέροις ἴσος
καὶ τοῖσι δούλοις αἵματος κεῖται πέρι.

Athenaeus, vi. p. 266 F, refers to our passage, and quotes Hyperides (of the Athenians): *ἔθεσαν οὐ μόνον ὑπὲρ τῶν ἐλευθέρων, ἀλλὰ καὶ ἐάν τις εἰς δούλου σῶμα ὑβρίσῃ, γραφὰς εἶναι κατὰ τῶν ὑβρισάντων.*

παρ' ὧν τὰ ἀνδράποδ' εἰς τοὺς Ἕλληνας κομίζεται, ἐπαινῶν ὑμᾶς καὶ διεξιὼν περὶ τῆς πόλεως εἶποι πρὸς αὐτοὺς ὅτι
49 "εἰσὶν Ἕλληνές τινες ἄνθρωποι οὕτως ἥμεροι καὶ φιλάνθρωποι τοὺς τρόπους, ὥστε πόλλ' ὑφ' ὑμῶν ἠδικημένοι, καὶ φύσει τῆς πρὸς ὑμᾶς ἔχθρας αὐτοῖς ὑπαρχούσης πατρικῆς, ὅμως οὐδ' ὅσων ἂν τιμὴν καταθέντες δούλους κτήσωνται, οὐδὲ τούτους ὑβρίζειν ἀξιοῦσιν, ἀλλὰ νόμον δημοσίᾳ τὸν ταῦτα κωλύσοντα τέθεινται τουτονὶ καὶ πολλοὺς ἤδη παρα-
50 βάντας τὸν νόμον τοῦτον ἐζημιώκασι θανάτῳ." εἰ ταῦτ' ἀκούσαιεν καὶ συνεῖεν οἱ βάρβαροι, οὐκ ἂν οἴεσθε δημοσίᾳ πάντας ὑμᾶς προξένους αὑτῶν ποιήσασθαι; τὸν τοίνυν οὐ παρὰ τοῖς Ἕλλησι μόνον εὐδοκιμοῦντα νόμον, ἀλλὰ καὶ παρὰ τοῖς βαρβάροις εὖ δόξαντ' ἂν ἔχειν, σκοπεῖσθ' ὁ παραβὰς ἥντινα δοὺς δίκην ἀξίαν ἔσται δεδωκώς.
51 Εἰ μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, μὴ χορηγὸς ὢν ταῦτ' ἐπεπόνθειν ὑπὸ Μειδίου, ὕβριν ἄν τις μόνον κατέγνω τῶν πεπραγμένων αὐτῷ· νῦν δέ μοι δοκεῖ, κἂν ἀσέβειαν εἰ κατα-

§ **48.** 4. *νομίζεται* Y, O. 5. *ὑπὲρ τῆς* P.

§ **49.** 1. *τινες* Ἕλληνες F. 6. *τέθεινται* (*τ* above *αι*) Σ; *τεθῆναι* Y, O. *πολλοὺς...θανάτῳ*, obelized in Σ. *ἤδη* om. Σ.

§ **50.** 2, 3. *συνιεν* and *αὐτω* Σ^1, corr. to *συνεῖεν* and *αὐτῶν*. *αὐτῶν προξένους* A. 5. *ἂν* om. A.

§ **51.** 3. *καταγιγνώσκοι τις* F, Y, O.

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§ **49.** 3. **φύσει...πατρικῆς**: see again Hecuba to Agamemnon, Eur. Hec. 1199: – ἀλλ', ὦ κάκιστε, πρῶτον οὔποτ' ἂν φίλον τὸ βάρβαρον γένοιτ' ἂν Ἕλλησιν γένος, οὔτ' ἂν δύναιτο.

4. **ὅσων** depends on *τιμὴν*: we might have had *ὅσους* with perhaps *τιμὴν αὐτῶν*, but less elegantly.—**τιμὴν**: *τιμή* is still used for *price* in Greece.

5. **νόμον τουτονὶ**, see § 48[3].

6. **τέθεινται**: *τέθηκα* and *τέθειμαι* are now established as the true Attic forms.

§ **50.** 3. **προξένους**: a *πρόξενος* was usually a citizen appointed by a foreign state to represent it in his own city. Here it has the more primitive sense of friendly *protector* in general, as in Aesch. Suppl. 420, *γενοῦ εὐσεβὴς πρόξενος*. **δημοσίᾳ** implies that this relation between the two states would be ratified by public consent.

5. **εὖ δόξαντ' ἂν ἔχειν** = *ὃς δόξειεν ἂν εὖ ἔχειν*, in the same construction as *εὐδοκιμοῦντα* (4).

§§ **51—61.** (*Midias guilty of ἀσέβεια.*)

§ **51.** 3. **κἄν**: *ἄν* here belongs to *ποιεῖν* (4), making it potential (= *ποιοίη ἄν*) after *εἰ* (*τις*) *καταγιγνώσκοι*. The *καὶ* in *κἄν* will then affect the whole conditional expression, though we naturally translate it with *εἰ*, *even if*. Plato and Aristotle sometimes have *κἄν εἰ*, *even if*, when there is no verb in the apodosis to which *ἄν* can properly belong, as in Plat. Rep. 579 D, *ἔστιν ἄρα τῇ ἀληθείᾳ, κἂν εἰ μὴ τῳ δοκεῖ, ὁ τῷ ὄντι τύραννος τῷ ὄντι δοῦλος*. Cf. Men. 72 C, *κἂν εἰ πολλαί εἰσιν, ἓν γέ τι εἶδος ταὐτὸν ἅπασαι ἔχουσιν*

γιγνώσκοι, τὰ προσήκοντα ποιεῖν. ἴστε γὰρ δήπου τοῦτο, ὅτι τοὺς χοροὺς ὑμεῖς ἅπαντας τούτους καὶ τοὺς ὕμνους τῷ θεῷ ποιεῖτε, οὐ μόνον κατὰ τοὺς νόμους τοὺς περὶ τῶν Διονυσίων ἀλλὰ καὶ κατὰ τὰς μαντείας, ἐν αἷς ἁπάσαις ἀνῃρημένον εὑρήσετε τῇ πόλει, ὁμοίως ἐκ Δελφῶν καὶ ἐκ Δωδώνης, χοροὺς ἱστάναι κατὰ τὰ πάτρια καὶ κνισᾶν ἀγυιὰς καὶ στεφανηφορεῖν. ἀνάγνωθι δέ μοι λαβὼν αὐτὰς τὰς μαντείας. **52**

MANTEIAI.

531 Αὐδῶ Ἐρεχθείδῃσιν, ὅσοι Πανδίονος ἄστυ
ναίετε καὶ πατρίοισι νόμοις ἰθύνεθ' ἑορτάς,
μεμνῆσθαι Βάκχοιο, καὶ εὐρυχόρους κατ' ἀγυιὰς
ἱστάναι ὡραίων Βρομίῳ χάριν ἄμμιγα πάντας,
καὶ κνισᾶν βωμοῖσι κάρη στεφάνοις πυκάσαντας.

5. καὶ om. A, F. τοὺς Σ only. οὓς before τῷ Σ (w. dots), P, Y, O. 6. ποιεῖσθε F. 9. ἀγυιᾶς Harpocr. (from ἀγυιεύς).

§ **52.** 3. MANTEIA. A. Text of the Oracles om. A. 4. ερεχθιδεσσι Σ; Ἐρεχθείδῃσιν Meier, Weil, Blass, King; Ἐρεχθείδαισιν Buttm., Bekk., Dind. πανδειονος (ι over ει) Σ. 6. Βάκχοο (corr. to -οιο) Σ. 7. πάντ· (end of line) Σ. 8. κνισᾶιν and πυκνάσαντας Σ.

(M. T. 195). Such examples show that κἂν εἰ came to be used idiomatically for *even if*, without regard to the verb in the apodosis. But in the present case ποιεῖν without ἄν would give no sense.

7. **ἀνῃρημένον**: ἀναιρῶ is used of *commanding by an oracle*, as in Thuc. i. 126, 2, ἀνεῖλεν ὁ θεὸς καταλαβεῖν τὴν ἀκρόπολιν.

9. **ἱστάναι, κνισᾶν,** and **στεφανηφορεῖν** (10) follow ἀνῃρημένον. See Eur. Alc. 1155:—

χοροὺς ἐπ' ἐσθλαῖς συμφοραῖσιν ἱστάναι.
βωμούς τε κνισᾶν βουθύτοισι προστροπαῖς.

Cf. Arist. Eq. 1320, Av. 1231.

Demosthenes as χορηγός claims to have been a sacred official; and he quotes the oracles which relate to choruses generally to justify his claim and to show that the assault of Midias was ἀσέβεια.

§§ **52**, **53.** These oracles may be genuine. They are not to be discredited on the grounds which justly cause the rejection of most of the laws and other public documents in the text of the orators.

§ **52.** 7. **ἱστάναι ὡραίων Βρομίῳ χάριν**, probably *to place choruses* (in the streets) *in thanksgiving to Bacchus for the fruits of the season*. See Buttmann's note: "Haec ad choros in vicis et plateis ducendos referenda esse, ipsa res et Demosthenis quae praecedunt verba docent....Sicut enim χοροὺς ἱστάναι ὡραίων χάριν, h.e. in gratiam annui proventus, per appositionem recte dicitur, ita figura non minus illa poetica eosdem choros simpliciter χάριν ὡραίων dixerit Pythia, ut notio chori insit toti verborum contextui, maxime tamen verbo in hac re sollemni ἱστάναι." According to this, ἱστάναι ὡραίων χάριν is *to give thanks for the fruits of the season* (ὡραίων) *by choruses*. See Buttmann's whole note, quoted by Dindorf. Schaefer supplies ἱερῶν with ὡραίων, making ὡραίων χάρις *gratia sacrorum solennium*: "h. l. est periphrasis τῶν χορῶν, nam ob additum verbum ἱστάναι de choris nemo non intellexit." The meaning of the expression is very doubtful. In Arist. Nub. 311 we have ἦρί τ' ἐπερχομένῳ βρομία χάρις, εὐκελάδων τε χορῶν ἐρεθίσματα.—**ἄμμιγα πάντας**: cf. ἐλευθέρους καὶ δούλους (§ 53[9]).

Περὶ ὑγιείας θύειν καὶ εὔχεσθαι Διὶ ὑπάτῳ, Ἡρακλεῖ, Ἀπόλλωνι προστατηρίῳ· περὶ τύχας ἀγαθᾶς Ἀπόλλωνι ἀγυιεῖ, Λατοῖ, Ἀρτέμιδι, καὶ κατ' ἀγυιὰς κρατῆρας ἱστάμεν καὶ χορούς, καὶ στεφαναφορεῖν κατὰ πάτρια θεοῖς Ὀλυμπίοις πάντεσσι καὶ πάσαις, λιτὰς δεξιὰς καὶ ἀριστερὰς ἀνίσχοντας, καὶ μνασιδωρεῖν.

ΕΚ ΔΩΔΩΝΗΣ ΜΑΝΤΕΙΑΙ.

53 Τῷ δήμῳ τῷ Ἀθηναίων ὁ τοῦ Διὸς σημαίνει. ὅτι τὰς ὥρας παρηνέγκατε τῆς θυσίας καὶ τῆς θεωρίας, αἱρετοὺς πέμπειν κελεύει θεωροὺς ἐννέα, καὶ τούτους διὰ ταχέων· τῷ Διὶ τῷ Ναΐῳ τρεῖς βοῦς καὶ πρὸς ἑκάστῳ βοῒ δύο οἷς. τῇ Διώνῃ βοῦν καλλιερεῖν, καὶ τράπεζαν χαλκῆν πρὸς τὸ ἀνάθημα ὃ ἀνέθηκεν ὁ δῆμος ὁ Ἀθηναίων.

Ὁ τοῦ Διὸς σημαίνει ἐν Δωδώνῃ, Διονύσῳ δημοτελῆ ἱερὰ τελεῖν καὶ κρατῆρα κεράσαι καὶ χοροὺς ἱστάναι, Ἀπόλλωνι ἀποτροπαίῳ βοῦν θῦσαι, καὶ στεφανηφορεῖν ἐλευθέρους καὶ δούλους, καὶ ἐλινύειν μίαν ἡμέραν. Διὶ κτησίῳ βοῦν λευκόν.

9. *διει* (corr. to *δι*) Σ. *καὶ Ἡρακλεῖ* Σ, P, Y, O, F. 10. *αγνειλατου* Σ^1 (first *υ* erased, *ω* over *ου*), F. 12. *στεφαναφορεῖν* (for *στεφανηφορεῖν* MSS.) Blass. *καττὰ* Buttm. (cf. xliii. 66); *κατα τὰ* Σ; *κατὰ* P, Y, O. *καὶ Ὀλυμπίαις* added in xliii. 66 (cf. Arist. Av. 866). 13. *λῖτὰς* Weil; *ἰδίας* MSS. *ἀνισχοντ* Σ^1 (*-ες* added). 14. *μαντεία* P.

§ **53.** 1. *τῶν Ἀθ.* P. 2. *θεωρίας* (*ει* corr. to *ι*) Σ. 3. *τούτου τοὺς* Σ, Y, F; *τοῦτο τοὺς* P; *ἕνεκα τούτου* Buttm. *τῷ Ναίῳ τρεῖς βοῦς* Buttm.; *τωναρω τρισβους* Σ; *τῶν ἀρω, τρις* F^1, B (without comma); *τῷ ναρῷ τρεῖς βοῦς* Bekk. 4. *βοῒ δύο οἷς* Dobree; *δύο βοησεις* (*ι* over *ο*) Σ; *βοιήσεις* vulg.; *δύο ὅις* Taylor. *καλλιερεῖν* Sauppe (cf. xliii. 66, *καλλιερεῖν Διί*); *καὶ ἀλλὰ ἱερεῖα* MSS. 5. *καὶ πρὸς* MSS. 7. *σημαίνει* Lambinus; *σημαίν* MSS. (*σημαιν'* B). *δημοτελῆ ἱερὰ τελεῖν* Buttm.; *δημοτελεῖ ἱερεῖον τέλειον* MSS. 10. *ἐλινύειν* B (*γρ.* marg.); *ἐλεεινύειν* Σ; *ἐλεεῖν θύειν* vulg.

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10. **προστατηρίῳ**, epithet of Apollo as tutelary deity, protecting houses. Cf. Soph. El. 637, *Φοῖβε προστατήριε*. Hesychius has *τὸν Ἀπόλλωνα οὕτω λέγουσι, παρόσον πρὸ τῶν θυρῶν αὐτὸν ἀφιδρύοντο.*

13. **λῖτὰς**, *supplicatory*: cf. Pind. Ol. vi. 78, *λιταῖς θυσίαις.*—**ἀνίσχοντας** is required by the infinitives, which depend on some word like *κελεύει* understood. In the very similar *μαντεία* in xliii. 66 we have *ἀνίσχοντας*. (See critical note.)—**μνᾱσιδωρεῖν**, Doric for *μνησιδωρεῖν*.

§ **53.** 1. **ὁ τοῦ Διὸς**: sc. *προφήτης*. This oracle has no reference to choruses.

2. **παρηνέγκατε**, *let pass, neglected.*

3. **τῷ Ναΐῳ**, a title of Zeus at Dodona. See Bekk. Anecd. p. 283: **Νάϊος Ζεύς**: *ὄνομα ἱεροῦ τοῦ ἐν Δωδώνῃ. Πέιριος γὰρ, ὁ Ἰκάστου παῖς, τοῦ Αἰόλου, ναυαγήσας διεσώθη ἐπὶ τῆς πρύμνης, καὶ ἱδρύσατο ἐν Δωδώνῃ Διὸς ναΐου ἱερόν.* Also under **Ναίου Διός**, *ὁ ναὸς τοῦ Διὸς, ὃς ἐν Δήλῳ, Ναίου Διὸς καλεῖται.* Ναΐῳ seems the most probable reading for *ναρω* of Σ and other MSS.

4. **Διώνῃ**, feminine of Ζεύς (Διός), worshipped at Dodona as the wife of Zeus.

8. **ἀποτροπαίῳ**: cf. Arist. Av. 61, *Ἄπολλον ἀποτρόπαιε.*

10. **ἐλινύειν**, *to keep holiday.*

Εἰσὶν, ὦ ἄνδρες Ἀθηναῖοι, καὶ αὗται καὶ ἄλλαι πολλαὶ **54**
532 μαντεῖαι τῇ πόλει κἀγαθαί. τί οὖν ἐκ τούτων ὑμᾶς ἐνθυμεῖσθαι δεῖ; ὅτι τὰς μὲν ἄλλας θυσίας τοῖς ἐφ' ἑκάστης μαντείας προφαινομένοις θεοῖς προστάττουσι θύειν, ἱστάναι δὲ χοροὺς καὶ στεφανηφορεῖν κατὰ τὰ πάτρια πρὸς ἁπάσαις ταῖς ἀφικνουμέναις μαντείαις προσαναιροῦσιν ὑμῖν. οἱ τοί- **55**
νυν χοροὶ πάντες οἱ γιγνόμενοι καὶ οἱ χορηγοὶ δῆλον ὅτι τὰς μὲν ἡμέρας ἐκείνας ἃς συνερχόμεθ' ἐπὶ τὸν ἀγῶνα, κατὰ τὰς μαντείας ταύτας ὑπὲρ ὑμῶν ἐστεφανώμεθα, ὁμοίως ὅ τε μέλλων νικᾶν καὶ ὁ πάντων ὕστατος γενήσεσθαι, τὴν δὲ τῶν ἐπινικίων ὑπὲρ αὐτοῦ τότ' ἤδη στεφανοῦται ὁ νικῶν. τὸν οὖν εἴς τινα τούτων τῶν χορευτῶν ἢ τῶν χορηγῶν ὑβρίζοντ' ἐπ' ἔχθρᾳ, καὶ ταῦτ' ἐν αὐτῷ τῷ ἀγῶνι καὶ ἐν τῷ τοῦ θεοῦ ἱερῷ, τοῦτον ἄλλο τι πλὴν ἀσεβεῖν φήσομεν;

Καὶ μὴν ἴστε γε τοῦτο, ὅτι βουλόμενοι μηδὲν' ἀγω- **56**
νίζεσθαι ξένον οὐκ ἐδώκαθ' ἁπλῶς τῶν χορηγῶν οὐδενὶ

§ **54.** 1. Εἰσὶν μὲν A. καὶ αὗται om. O. πολλαὶ repeated in Σ. 2. ἐν τῇ F. καὶ ἄγαθαι Σ; καλαὶ καὶ ἀγαθαὶ A; καλαὶ κἀγαθαὶ vulg. 6. ἀεὶ ταῖς A. προσανεροῦσιν A.

§ **55.** 3. ἐπὶ Σ, vulg.; εἰς P, O. 4. ὑμῶν A, F, P; αὐτῶν Σ; ὑμῶν αὐτῶν Y, O; περὶ αὐτῶν vulg. ἐστεφανώμεθα A (see schol.); ἐστεφανούμεθα Σ, Y, O, P, F; στεφανούμεθα vulg. 5. τῇ for τὴν Herwerden.

§ **56.** 1. μηδὲν Σ.

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§ **54.** 2. **ἐνθυμεῖσθαι**, *to infer*. In Aristotle *ἐνθύμημα*, *enthymeme*, is a *συλλογισμὸς ἐξ εἰκότων ἢ σημείων*, a rhetorical syllogism, with a probable conclusion or inference. See Rhet. i. 1, 11 and Anal. Prior. ii. 27, with Cope's Introduction to the Rhetoric, pp. 101—105.

4. **προφαινομένοις**, *designated*.

5. **πρὸς...μαντείαις**, i.e. *a universal addition* to what the oracles command: *πρός* is repeated in *προσαναιροῦσιν* (6).

§ **55.** 2. **χοροὶ** and **χορηγοὶ** have their verb in the first person, as Dem. identifies himself with both of these.

3. **ἐπὶ τὸν ἀγῶνα**, i.e. *to celebrate the festival*.

4. **ὑπὲρ ὑμῶν ἐστεφανώμεθα**, *we all wear our crowns as your representatives*. The perfect is "non *coronamur*, sed *coronas gestamus*" (Schaefer): the false readings *στεφανούμεθα* and *ἐστεφανούμεθα* show that *ἐστεφανώμεθα* is right (cf. § 17[10]).

5. **τὴν τῶν ἐπινικίων**: sc. *ἡμέραν*.

6. **τότ' ἤδη στεφανοῦται**, *the victor then receives his crown*, though all the contestants *wore crowns* before this.

9. **ἀσεβεῖν**: this whole passage (§§ 51—55) has been an argument to prove that the offence of Midias is *ἀσέβεια*.

§ **56.** 1. **βουλόμενοι...ξένον**, *though you wished to prohibit all foreigners from contending in your public games*.

2. **ἁπλῶς**, *at his own will, without restriction*.

προσκαλέσαντι τοὺς χορευτὰς σκοπεῖν, ἀλλ' ἐὰν μὲν καλέσῃ, πεντήκοντα δραχμὰς, ἐὰν δὲ καθίζεσθαι κελεύσῃ, χιλίας ἀποτίνειν ἐτάξατε. τίνος ἕνεκα; ὅπως μὴ τὸν ἐστεφανωμένον καὶ λητουργοῦντα τῷ θεῷ ταύτην τὴν ἡμέραν καλῇ
57 μηδ' ἐπηρεάζῃ μηδ' ὑβρίζῃ μηδεὶς ἐξεπίτηδες. εἶτα τὸν μὲν χορευτὴν οὐδ' ὁ προσκαλέσας κατὰ τὸν νόμον ἀζήμιος ἔσται, τὸν δὲ χορηγὸν οὐδ' ὁ συγκόψας παρὰ πάντας τοὺς νόμους οὕτω φανερῶς δώσει δίκην; ἀλλὰ μὴν οὐδέν ἐστ' ὄφελος καλῶς καὶ φιλανθρώπως τοὺς νόμους ὑπὲρ τῶν πολλῶν κεῖσθαι, εἰ τοῖς ἀπειθοῦσι καὶ βιαζομένοις αὐτοὺς ἡ 533
παρ' ὑμῶν ὀργὴ τῶν ἀεὶ κυρίων μὴ γενήσεται.

58 Φέρε δὴ πρὸς θεῶν κἀκεῖνο σκέψασθε. παραιτήσομαι δ' ὑμᾶς μηδὲν ἀχθεσθῆναί μοι, ἐὰν ἐπὶ συμφοραῖς τινων γεγονότων ὀνόματι μνησθῶ· οὐ γὰρ ὀνειδίσαι μὰ τοὺς θεοὺς οὐδενὶ δυσχερὲς οὐδὲν βουλόμενος τοῦτο ποιήσω, ἀλλὰ δεῖξαι τὸ βιάζεσθαι καὶ ὑβρίζειν καὶ τὰ τοιαῦτα ποιεῖν ὡς ἅπαντες ὑμεῖς οἱ ἄλλοι φεύγετε. Σαννίων ἐστὶ δήπου τις ὁ

4. καθίζεσθαι MSS.; καθέζεσθαι Blass (from schol. on 532, 16 and 17). 5. εἵνεκα A. μὴ om. A.

§ **57.** 2. προκαλέσας F. 3. χορηγὸν αὐτὸν A, F. 4. δώσει Σ; οὐ δώσει vulg.

§ **58.** 3. ὀνόματι Reiske; ὀνόμασι MSS. 5. τὸ ὑβρίζειν A, F. τὸ τὰ A.

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3. **προσκαλέσαντι...σκοπεῖν**, i.e. for any choregus to summon before the archon (§ 60[9]) any member of a rival chorus who was suspected of being a foreigner, to have his citizenship investigated (*σκοπεῖν*): even for this interference there was a fine of 50 drachmas.

4. **ἐὰν δὲ καθίζεσθαι κελεύσῃ**, *but if he bids him to take his seat* with the spectators: this would be a more public insult than a summons to a future trial, and would compel the choregus to forcibly remove the man from the orchestra, to which *ἐπηρεάζῃ* and *ὑβρίζῃ* (7) refer.

7. **ἐξεπίτηδες**, *expressly* marking him out for insult.

§ **57.** 2—4. Notice the strong antithesis of *χορευτὴν* with *χορηγὸν*, and of *προσκαλέσας κατὰ τὸν νόμον* (a perfectly legal act under other conditions) with *συγκόψας παρὰ...νόμους*. **οὐδ'** in 2 and 3 both = *not even*.

5. **καλῶς καὶ φιλανθρώπως**: with *κεῖσθαι*: cf. *κείμενος νόμος*.

7. **τῶν ἀεὶ κυρίων**, i.e. *you who sit in judgment in each case* (*ἀεί*), *τῶν λαχόντων δικάζειν* (Scholia).

§ **58.** 2. **ἐπὶ συμφοραῖς γεγονότων**, *who have fallen into misfortunes*: cf. *κέχρηται συμφορᾷ* (8). So *ἐπὶ ἑτέροις γίγνεσθαι*, *to fall into others' hands*, Thuc. vi. 22, 3.

3, 4. **οὐ, οὐδενὶ, οὐδὲν**: triple negation: for the dat. and accus. cf. Aeschyl. Cho. 917, *αἰσχύνομαί σοι τοῦτ' ὀνειδίσαι*.

τοὺς τραγικοὺς χοροὺς διδάσκων· οὗτος ἀστρατείας ἑάλω καὶ κέχρηται συμφορᾷ. τοῦτον μετὰ τὴν ἀτυχίαν ταύτην **59** ἐμισθώσατό τις φιλονικῶν χορηγὸς τραγῳδῶν, οἶμαι, Θεοζοτίδης. τὸ μὲν οὖν πρῶτον ἠγανάκτουν οἱ ἀντιχορηγοὶ καὶ κωλύσειν ἔφασαν, ὡς δ' ἐπληρώθη τὸ θέατρον καὶ τὸν ὄχλον συνειλεγμένον εἶδον ἐπὶ τὸν ἀγῶνα, ὤκνησαν, εἴασαν, οὐδεὶς ἤψατο, ἀλλὰ τοσοῦτον τῆς εὐσεβείας ἐν ἑκάστῳ τις ἂν ὑμῶν ἴδοι τὸ συγκεχωρηκὸς, ὥστε πάντα τὸν μετὰ ταῦτα χρόνον διδάσκει τοὺς χοροὺς καὶ οὐδὲ τῶν ἰδίων ἐχθρῶν οὐδεὶς κωλύει· τοσοῦτ' ἀπέχει τῶν χορηγῶν. ἄλλος ἐστὶν Ἀριστεί- **60** δης Οἰνηΐδος φυλῆς, ἠτυχηκώς τι καὶ οὗτος τοιοῦτον, ὃς νῦν μὲν καὶ γέρων ἐστὶν ἤδη καὶ ἴσως ἥττων χορευτὴς, ἦν δέ ποθ' ἡγεμὼν τῆς φυλῆς [κορυφαῖος]. ἴστε δὲ δήπου τοῦθ',

7. ἑάλω Σ, vulg.

§ **59.** 2. φιλονικῶν Σ. θεο_ζοτιδης Σ; Θεοσδοτίδης vulg. 6. εὐσεβείας Σ, vulg.; εὐεργεσίας O. 7. τὸ συγκεχωρηκὸς A, B (τὸ above line); τὸ om. Σ, vulg. 9. τοσοῦτ' γρ. Σ. τῶν χορηγῶν Σ (see schol.); τοῦ χορηγῶν, τῶν χορηγῶν, τοῦ τῶν χορηγῶν, τοῦ χορηγὸν, τοῦ τὸν χορηγὸν, with τινὸς ἄψασθαι (or ἅπτεσθαι) various MSS.

§ **60.** 4. [κορυφαῖος] in [ ] Reiske, Weil, Blass, King.

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7. **ἀστρατείας**, failure to appear for military service when summoned: for this and λειποστράτιον, *deserting one's post*, see Meier and Schömann, pp. 463, 464. The penalty on conviction in both was ἀτιμία, under which a man was forbidden to act as χοροδιδάσκαλος. One might easily incur ἀτιμία for ἀστρατεία under circumstances which would excite pity rather than condemnation, as in the present case.

§ **59.** 2. **φιλονικῶν** (so Σ), *eager for victory*. On this authority, I follow Blass in reading ι for MSS. ει also in §§ 60[6] and 66[2].

6. **τοσοῦτον τῆς εὐσεβείας...τὸ συγκεχωρηκὸς**, *we can see the pious feeling of forbearance so strong in each of you*, εὐσεβείας depending on the substantive τὸ συγκεχωρηκός, which is like τὸ δεδιός, fear (=τὸ δεδιέναι): cf. ἐν τῷ μὴ μελετῶντι, *in the want of practice*, Thuc. I. 142 (M.T. 829[a]). Dindorf quotes four passages of Aristides, who is perhaps imitating Dem., in which τὸ συγκεχωρηκός is used as a substantive. Reiske thus defines this: "est ea animi placabilitas et lenitas, quae, sopita ira aut crudelitate, ferocitate, acerbitate, concessit alteri, de saevitia sua remisit atque relaxata est." If τὸ before συγκεχωρηκὸς is omitted, we must take συγκ. with τοσοῦτον τῆς εὐσεβείας, *that so strong a feeling of piety has worked forbearance in each of you*. The Scholia have ἕκαστος πολὺ τὸ συγχωροῦν εἶχε.

9. **τοσοῦτ' ἀπέχει τῶν χορηγῶν**: an obscure expression, probably meaning (after the preceding words) *so much the less would any choregus hinder him* (supplying τινα κωλύειν). The schol. have οὐδεὶς ἐχθρῶν ἐκώλυσε· πόσῳ γε μὴν (μεῖον) χορηγῶν τις. See Weil's note.

§ **60.** 2. **τοιοῦτόν τι**, *a similar misfortune* (ἀτιμία).

4. **κορυφαῖος** adds nothing to ἡγεμὼν τῆς φυλῆς when χορευτής just precedes, and is probably a gloss, though it is hard to explain its insertion. The man is referred to immediately as ἡγεμόνα (5). Most editors follow Reiske in bracketing κορυφαῖος, though it is defended in Butt-

ὅτι τὸν ἡγεμόνα ἂν ἀφέλῃ τις, οἴχεται ὁ λοιπὸς χορός. ἀλλ' ὅμως πολλῶν χορηγῶν φιλονικησάντων οὐδεὶς πώποτε τοῦτ' εἶδε τὸ πλεονέκτημα, οὐδ' ἐτόλμησε τοῦτον ἐξαγαγεῖν οὐδὲ κωλῦσαι· διὰ γὰρ τὸ δεῖν αὐτὸν ἐπιλαβόμενον τῇ χειρὶ 534
τοῦτο ποιῆσαι καὶ μὴ προσκαλέσασθαι πρὸς τὸν ἄρχοντα ἐξεῖναι, ὥσπερ ἂν εἰ ξένον τις ἐξαγαγεῖν ἐβούλετο, ἅπας τις ὤκνει τῆς ἀσελγείας ταύτης αὐτόχειρ ὀφθῆναι γιγνόμενος.
61 οὐκ οὖν δεινόν, ὦ ἄνδρες δικασταί, καὶ σχέτλιον τῶν μὲν νικᾶν ἂν [ταυτὶ] παρὰ τοῦτ' οἰομένων χορηγῶν, τῶν ἀνηλωκότων πολλάκις πάντα τὰ ὄντ' εἰς τὰς λῃτουργίας, μηδένα τολμῆσαι πώποτε μηδ' ὧν οἱ νόμοι διδόασιν ἅψασθαι, ἀλλ'

5. ἀφέληται A. 6. φιλονεικησάντων Σ (cf. § 59²).
§ **61.** 1. ἄνδρες, ἄθη, δικασταὶ Σ. 2. [ταυτὶ] om. A, F. ταῦτ' for τοῦτ' A.

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mann's Index. The κορυφαῖος was always the leader of the chorus in historic times, as χορηγός was the citizen who paid the expenses of the χορηγία. But it can hardly be doubted that χορηγός passed through the same stages as τριήραρχος, and originally meant *chorus-leader*, as τριήραρχος was *the commander of a trireme* until after 357 B.C. See Soph. Ant. 1147, where Bacchus is addressed as πῦρ πνεόντων χοράγ' ἄστρων.

5. **οἴχεται**, i.e. *there is nothing left of it.*

7. **εἶδε τὸ πλεονέκτημα**, *had an eye to the advantage* to be gained by preventing a rival choregus from employing Aristides as his κορυφαῖος.—**ἐξαγαγεῖν**, *to remove him* from the orchestra, while κωλῦσαι is *to prevent him from performing* by threats or persuasion.

8. **ἐπιλαβόμενον τῇ χειρὶ**, i.e. actually *laying hands* on the man to remove him: this would have been allowed in the case of an ἄτιμος, who had no civic rights at all; but he could not be summoned before the archon, as if he had been a foreigner, as even this would recognize him as having rights in Athens.—**αὐτὸν**: he must *himself* remove the man, without the aid of an official.

9. **τοῦτο ποιῆσαι** refers only to ἐξαγαγεῖν.

10. **ἐξεῖναι**: with διὰ τὸ μὴ.—**ὥσπερ ἄν**: sc. ἐξῆν, i.e. by incurring a penalty (§ 56³).

11. **αὐτόχειρ**, one who does an act *with his own hand*: by usage it generally refers to a murderer, but this is not necessary; see Isoc. Phil. 150, where it is applied to the Gods, οὐ γὰρ αὐτόχειρες οὔτε τῶν ἀγαθῶν οὔτε τῶν κακῶν γίγνονται. See the Scholia: ὅρα ὅπως τὸ τῶν ἀνδροφόνων ὄνομα ἔθηκεν ἐπὶ τῶν ὑβριστῶν.—**ὀφθῆναι γιγνόμενος** (with ὤκνει), passive of ἰδεῖν τινα γιγνόμενον (M.T. 884).

§ **61.** 1. **τῶν μὲν**: the clause with μὲν extends through σπουδὴν in line 8, followed by Μειδίαν δὲ κ.τ.λ., extending through the section: the former may be introduced in English by *while*. δεινὸν and σχέτλιον do not apply to anything in the clause with μέν, but only to the clause with δὲ as contrasted with that with μέν. Cf. Cor. 13¹⁰, where οὐ negatives only the second clause as contrasted with the affirmative first clause, i.e. it negatives the two combined.

2. **νικᾶν ἂν παρὰ τοῦτ' οἰομένων**, *thinking that they might be victorious in this way*, i.e. by excluding a superior chorus-leader.

4. **οἱ νόμοι διδόασιν**: see note on § 60⁸.

οὕτως εὐλαβῶς, οὕτως εὐσεβῶς, οὕτω μετρίως διακεῖσθαι, ὥστ' ἀναλίσκοντας, ἀγωνιῶντας ὅμως ἀπέχεσθαι καὶ προορᾶσθαι τὰς ὑμετέρας βουλήσεις καὶ τὴν περὶ τὴν ἑορτὴν σπουδήν, Μειδίαν δὲ ἰδιώτην ὄντα, μηδὲν ἀνηλωκότα, ὅτι τῷ προσέκρουσε καὶ ἐχθρὸς ὑπῆρχε, τοῦτον ἀναλίσκοντα καὶ χορηγοῦντα ἐπίτιμον ὄντα προπηλακίζειν καὶ τύπτειν, καὶ μήτε τῆς ἑορτῆς μήτε τῶν νόμων μήτε τί ὑμεῖς ἐρεῖτε μήτε τοῦ θεοῦ φροντίζειν;

Πολλῶν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, γεγενημένων ἐχθρῶν **62** ἀλλήλοις, οὐ μόνον ἐξ ἰδίων ἀλλὰ καὶ ἐκ κοινῶν πραγμάτων, οὐδεὶς πώποτ' εἰς τοσοῦτ' ἀναιδείας ἀφίκετο ὥστε τοιοῦτόν τι τολμῆσαι ποιεῖν. καίτοι φασὶν Ἰφικράτην ποτ' ἐκεῖνον Διοκλεῖ τῷ Πιτθεῖ τὰ μάλιστ' ἐλθεῖν εἰς ἔχθραν, καὶ ἔτι πρὸς τούτῳ συμβῆναι Τεισίαν τὸν Ἰφικράτους ἀδελφὸν ἀντιχορηγῆσαι τῷ Διοκλεῖ. ἀλλ' ὅμως πολλοὺς μὲν ἔχων φίλους Ἰφικράτης, πολλὰ δὲ χρήματα κεκτημένος, φρονῶν δ' ἐφ' αὑτῷ τηλικοῦτον ἡλίκον εἰκὸς ἄνδρα καὶ δόξης καὶ τιμῶν τετυχηκόθ' ὧν ἐκεῖνος ἠξίωτο παρ' ὑμῶν, οὐκ ἐβάδιζεν ἐπὶ **63** τὰς τῶν χρυσοχόων οἰκίας νύκτωρ, οὐδὲ κατερρήγνυε τὰ παρασκευαζόμεν' ἱμάτι' εἰς τὴν ἑορτήν, οὐδὲ διέφθειρε διδάσκαλον, οὐδὲ χορὸν μανθάνειν ἐκώλυεν, οὐδὲ τῶν ἄλλων

5. οὕτως εὐσεβῶς only in marg. Σ. 6. ἀπέχθεσθαι F. 7. βουλήσεις vulg.; βοήσεις P and (above line) Y. 10. καὶ before χορηγοῦντα Σ alone. ἐπιτίμιον O. 11. τῆς om. F.

§ **62.** 5. Πιτθεῖ (w. τ above line) Σ; πειθεῖ Y, O. 6. Τεισίαν Σ^1 (corr. to Τισίαν). 7. μὲν om. A. 9. αὑτῷ Σ; ἑαυτῷ vulg. τιμῶν καὶ δόξης A.

§ **63.** 4. τῶν πολλῶν A.

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6. **ἀναλίσκοντας**: cf. ἀνηλωκότων (2). —**ἀγωνιῶντας** (desiderative), *eager for the contest*: see Buttmann's Index.—**ἀπέχεσθαι**, *restrained themselves*.—**προορᾶσθαι**, *looked forward to, respected*.

9. **τοῦτον** refers to τῷ, the speaker himself.

10. **ἐπίτιμον**, opposed to the ἀτιμία of Aristides.

11. **τί ὑμεῖς ἐρεῖτε** is in the line of genitives with μήτε depending on φροντίζειν.

§§ **62**—**69.** (*Others have allowed personal enemies to contend at the festivals without molestation.*)

§ **62.** 5. **Διοκλεῖ**, mentioned by Isaeus, viii. 19.—**Πιτθεῖ**, of the deme Πιτθός or Πίθος (Ross, Demen von Attika, p. 91).

8. **φρονῶν τηλικοῦτον**: cf. μέγα φρονῶν.

§ **63.** 1. **οὐκ ἐβάδιζεν κ.τ.λ.**, i.e. he committed none of the outrages of which Midias was guilty (§ 16^4).

3. **διέφθειρε διδάσκαλον**: cf. § 17^2.

οὐδὲν ὧν οὗτος διεπράττετ' ἐποίει, ἀλλὰ τοῖς νόμοις καὶ τῇ τῶν ἄλλων βουλήσει συγχωρῶν ἠνείχετο καὶ νικῶντα καὶ στεφανούμενον τὸν ἐχθρὸν ὁρῶν, εἰκότως· ἐν ᾗ γὰρ αὐτὸς εὐδαίμων ἤδει γεγονὼς πολιτείᾳ, ταύτῃ συγχωρεῖν τὰ τοιαῦτ' **64** ἠξίου. πάλιν Φιλόστρατον πάντες ἴσμεν τὸν Κολωνῆθεν Χαβρίου κατηγοροῦντα, ὅτ' ἐκρίνετο τὴν περὶ Ὠρωποῦ κρίσιν θανάτου, καὶ πάντων τῶν κατηγόρων πικρότατον γενόμενον, καὶ μετὰ ταῦτα χορηγοῦντα παισὶ Διονύσια καὶ νικῶντα, καὶ Χαβρίαν οὔτε τύπτοντα οὔτ' ἀφαρπάζοντα τὸν στέφανον οὐθ' ὅλως προσιόνθ' ὅποι μὴ προσῆκεν αὐτῷ. **65** πολλοὺς δ' ἂν ἔχων εἰπεῖν ἔτι καὶ διὰ πολλὰς προφάσεις ἐχθροὺς γεγενημένους ἀλλήλοις, οὐδένα πώποτε οὔτ' ἀκήκο' οὐθ' ἑόρακα ὅστις εἰς τοσοῦτον ἐλήλυθεν ὕβρεως ὥστε τοιοῦτόν τι ποιεῖν. οὐδέ γ' ἐκεῖν' οὐδεὶς ὑμῶν οἶδ' ὅτι μνημονεύει πρότερον, τῶν ἐπὶ τοῖς ἰδίοις ἢ καὶ τοῖς κοινοῖς ἐχθρῶν ἀλλήλοις οὐδέν' οὔτε καλουμένων τῶν κριτῶν παρεστηκότα, οὐθ' ὅταν ὀμνύωσιν ἐξορκοῦντα, οὐθ' ὅλως ἐπ'

8. ταύτῃ Σ, A, B; ταύτην vulg.

§ **64.** 1. ἅπαντες A, F, O. 2. Ὠροποῦ Σ. 4. γεγενημένον A. καὶ νικῶντα om. A.

§ **65.** 3. ἑόρακα Σ, Y, O, F[1]; ἑώρακα vulg. 6. ἀλλήλοις γενομένων A.

8. **ταύτῃ συγχωρεῖν τὰ τοιαῦτα**: cf. line 6.

§ **64.** 1. **Κολωνῆθεν**, *of the deme Colonus*.

2. **Χαβρίου κατηγοροῦντα**: this was the famous trial of Chabrias and Callistratus for complicity with the Thebans in regard to the surrender of Oropus in 366 B.C. Grote x. ch. 79, pp. 392—394. Philostratus led the prosecution, and Callistratus made the celebrated defence of himself, which is said to have inspired the boy Demosthenes to become an orator. See Plut. Dem. 5; with note on Cor. 99[7].—**ἐκρίνετο.. θανάτου**: we say *he was tried for his life*.

4. **χορηγοῦντα Διονύσια**, *was choregus at the Dionysia*: like **Βοηδρόμια πέμπειν**, *to celebrate the Boedromia by a procession*, iii. 31. Cf. **Λήναια χορηγῶν**, Ar. Acharn. 1155. The participles in *or. obl.* after **ἴσμεν** (1) represent *κατηγόρει*, *ἐγένετο*, *ἐχορήγει*, etc.

6. **ὅποι μὴ προσῆκεν**: cond. relative.

§ **65.** 3. **ἑόρακα**: this is now established as the true Attic form. See Blass-Kühner, i. 2, § 198, 6.

4. **ἐκεῖν'** refers to the whole sentence after *πρότερον*, recounting the acts of Midias.

5. **ἐπὶ...κοινοῖς**, *on private or public grounds*.

6. **ἐχθρῶν**: sc. *ὄντων*.—**οὐδέν'** repeats the negative of *οὐδεὶς* (4).—**καλουμένων τῶν κριτῶν**: after the selection by lot of the ten judges who were to decide the contest on the morning of the festal day, they were *called forward* by the archon and took the oath. See Haigh, pp. 44—46.

7. **ἐξορκοῦντα**, properly *administering the oath*; but here, *dictating* to the judges *how they were to swear*. In Hypoth. 2,

οὐδενὶ τῶν τοιούτων ἐχθρὸν ἐξεταζόμενον. ταῦτα γὰρ πάντα **66**
καὶ τὰ τοιαῦτ', ὦ ἄνδρες Ἀθηναῖοι, φιλονικίᾳ μὲν ὑπαχθέντα
χορηγὸν ὄντα ποιεῖν ἔχει τινὰ συγγνώμην· ἔχθρᾳ δ' ἐλαύ-
νοντά τινα, ἐκ προαιρέσεως, ἐφ' ἅπασι, καὶ τὴν ἰδίαν δύναμιν
κρείττω τῶν νόμων οὖσαν ἐνδεικνύμενον, Ἡράκλεις, βαρὺ 5
536 καὶ οὐχὶ δίκαιόν ἐστιν οὐδὲ συμφέρον ὑμῖν. εἰ γὰρ ἑκάστῳ
τῶν χορηγούντων τοῦτο πρόδηλον γένοιτο, ὅτι ἂν ὁ δεῖνα
ἐχθρὸς ᾖ μοι, Μειδίας ἤ τις ἄλλος θρασὺς οὕτω καὶ πλού-
σιος, πρῶτον μὲν ἀφαιρεθήσομαι τὴν νίκην, κἂν ἄμεινον
ἀγωνίσωμαί τινος, ἔπειτ' ἐφ' ἅπασιν ἐλαττωθήσομαι καὶ 10
προπηλακιζόμενος διατελῶ, τίς οὕτως ἀλόγιστος ἢ τίς οὕτως
ἄθλιός ἐστιν, ὅστις ἑκὼν ἂν μίαν δραχμὴν ἐθελήσειεν
ἀναλῶσαι; οὐδεὶς δήπου· ἀλλ', οἶμαι, τὸ πάντας ποιοῦν καὶ **67**
φιλοτιμεῖσθαι καὶ ἀναλίσκειν ἐθέλειν ἐκεῖν' ἐστὶν, ὅτι τῶν
ἴσων καὶ τῶν δικαίων ἕκαστος ἡγεῖται ἑαυτῷ μετεῖναι ἐν

§ **66.** 1. *πάντα γὰρ ταῦτα* A. 2. *φιλονεικίᾳ* Σ, vulg.; *φιλονικίᾳ* O (cf. § 59[2]). 4. *δύναμιν κρείττω* Σ; *δύναμιν καὶ βίαν κρείττω* A, P; *δύναμιν κρείττω καὶ βίαν* F. 7. *χορηγούντων* Σ, vulg.; *χορηγῶν* A. 8. *εἴ τις ἄλλος* P, Y, O. 11. *διατελῶ* Cobet; *διατελέσω* MSS. *οὕτως* vulg.; *οὕτος* Σ, A. *οὕτως ἄθλιος* vulg.; *οὕτως* om. Σ, P, Y, O. 12. *ἐθελήση* A.

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§ 4, we find this story: *ὀμνύόντων τῶν κριτῶν τῷ καλῶς ᾄσαντι δοῦναι τὴν νίκην, νύττων αὐτοὺς ὁ Μειδίας ἔλεγε "πλὴν Δημοσθένους." ὅθεν ὁ Δημοσθένης ἐβόα ἐλέγχων αὐτόν.* Weil thinks this incredible; but it is hard to see to what the words of Demosthenes can refer except to some such side-remark made by Midias to the judges while they were taking the oath. The audience would not hear such a remark, so that there would be no public excitement. The impudence of the act is nothing incredible in Midias.

8. **ἐχθρὸν ἐξεταζόμενον**, *proved to be an enemy*: see notes on *ἐξηταζόμην* and *ἐξέτασις* in Cor. 173.

§ **66.** 1. **ταῦτα...τοιαῦτα**, objects of *ποιεῖν* (3), which is subject of *ἔχει* (3) and (understood) of *ἐστιν* (6).

2. **φιλονικίᾳ...χορηγὸν ὄντα**, *led on by degrees through his eager rivalry when he was choregus*: for *ὑπαχθέντα* see liv. 19, *ὑπάγεσθαι κατὰ μικρὸν, ἐκ μὲν λοιδορίας εἰς πληγὰς, ἐκ δὲ πληγῶν εἰς τραύματα, ἐκ δὲ τραυμάτων εἰς θάνατον.*

3. **ἐλαύνοντα**, *worrying*: *ἐλαύνω* and *ἄγω* were used of *harassing* and *driving from place to place* a homicide who was in exile: see xxiii. 44—49.

4. **ἐκ προαιρέσεως**, *deliberately*, opposed to *φιλονικίᾳ ὑπαχθέντα* (2).—**ἐφ' ἅπασι**, *on every pretext*: cf. § 65[5], and l. 10 (below).

5. **ἐνδεικνύμενον**, *ostentatiously showing*, with *οὖσαν* in *or. obl.*

7. **ὁ δεῖνα**, *any man, so and so*, with **Μειδίας** (*Midias* for example) in apposition.

8. **μοι**: this shows that *ἑκάστῳ* (6) refers indirectly to the speaker.

9. **ἄμεινον...τινος**, *better than some rival.*

11. **διατελῶ**: this is the only good Attic prose-future: see Blass-Kühner, i. § 228, 3, A. 1. The future in *-έσω* is found in Aristotle.

12. **ὅστις ἂν ἐθελήσειεν**: consecutive (M.T. 575, end): this is the real apodosis to *εἰ γένοιτο* (6).

§ **67.** 3. **μετεῖναι** is impersonal (repr. *μέτεστιν*).

δημοκρατίᾳ. ἐγὼ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, τούτων οὐκ
ἔτυχον διὰ τοῦτον, ἀλλὰ χωρὶς ὧν ὑβρίσθην, καὶ τῆς νίκης
προσαπεστερήθην. καίτοι πᾶσιν ὑμῖν ἐγὼ τοῦτο δείξω
σαφῶς, ὅτι μηδὲν ἀσελγὲς ἐξῆν ποιοῦντι Μειδίᾳ μηδ' ὑβρί-
ζοντι μηδὲ τύπτοντι καὶ λυπεῖν ἐμὲ καὶ κατὰ τοὺς νόμους
αὐτῷ φιλοτιμεῖσθαι πρὸς ὑμᾶς, καὶ μηδὲ διᾶραι τὸ στόμα
68 περὶ αὐτοῦ ἔχειν ἐμέ. ἐχρῆν γὰρ αὐτὸν, ὦ ἄνδρες Ἀθηναῖοι,
ὅτ' ἐγὼ τῆς Πανδιονίδος χορηγὸς ὑπέστην ἐν τῷ δήμῳ, τότε
τῆς Ἐρεχθηΐδος ἀναστάντα, τῆς ἑαυτοῦ φυλῆς, ἀνθυπο-
στῆναι, καὶ καταστήσανθ' ἑαυτὸν ἐξ ἴσου καὶ τὰ ὄντα
ἀναλίσκονθ' ὥσπερ ἐγὼ, οὕτω μ' ἀφαιρεῖσθαι τὴν νίκην,
69 ὑβρίζειν δὲ τοιαῦτα καὶ τύπτειν μηδὲ τότε. νῦν δὲ τοῦτο
μὲν οὐκ ἐποίησεν, ἐν ᾧ τὸν δῆμον ἐτίμησεν ἂν, οὐδ' ἐνε-
ανιεύσατο τοιοῦτον οὐδέν· ἐμοὶ δ', ὃς—εἴτε τις, ὦ ἄνδρες
Ἀθηναῖοι, βούλεται νομίσαι μανεὶς (μανίᾳ γὰρ ἴσως ἐστὶν

§ **67.** 5. χωρὶς ὧν Σ[1], corr. to χορηγὸς ὤν, and χωρὶς ὧν restored in marg. γρ. 7, 8. μήτε...μήτε A. 9, 10. περὶ αὐτοῦ τὸ στόμα A. 10. νῦν ἔχειν vulg.; νῦν om. Σ, A.

§ **68.** 3. αὐτοῦ for ἑαυτοῦ A. 6. οὐδὲ τότε old editions.

§ **69.** 2—5. The whole passage, οὐδ'...ὑπέστην w. following οὔ-, is in the marg. γρ. of Σ, with τοιοῦτον οὐδὲν (3), w. βούλεται (4) omitted, w. μανίαν for μανεὶς, and φιλοτιμία (5). 3. τοῦτο (for τοιοῦτον οὐδὲν) Σ. 4, 5. μανεὶς...φιλοτιμίᾳ Σ; μανίαν and φιλοτιμίαν vulg.; μανίᾳ and φιλοτιμίᾳ A.

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5. **χωρὶς ὧν ὑβρίσθην**: cf. περὶ ὧν ἠγνωμονήκεσαν in Cor. 94[2]. The idea is repeated in προσ-απεστερήθην.

9. **αὐτῷ** (adj.), *himself*, opposed to ἐμὲ (8).—**μηδὲ...ἔχειν ἐμέ**, *while I could not even open my mouth about him*: this is loosely connected with λυπεῖν and φιλοτιμεῖσθαι as part of the subject of ἐξῆν Μειδίᾳ (7): all this *was possible* for him,—*he might have secured all this*, as is shown in § 68.

§ **68.** 2. **χορηγὸς ὑπέστην**: cf. ὑπεσχόμην χορηγήσειν, § 13[6].

3. **ἀναστάντα ... ἀνθυποστῆναι** (sc. χορηγόν), i.e. *he should have risen* in the Assembly *and offered himself* as χορηγός *as my rival*. To Weil's objection, that the tribe Erechtheis already had its choregus appointed in the regular way, it may be said, that the χορηγία was such a pecuniary burden that an offer to assume it voluntarily from a rich citizen like Midias would probably have been accepted, even at the last moment.

5. **οὕτω μ' ἀφαιρεῖσθαι τὴν νίκην**, *thus to strive to take the victory from me*: for conative ἀφαιρεῖσθαι see Cor. 13[1].

§ **69.** 2. **ἐνεανιεύσατο τοιοῦτον**, *did he show any such lively spirit*: not in the bad sense of § 18[7].

3. **ἐμοὶ** is obj. of παρηκολούθησεν (6), and ὃς is subj. of ὑπέστην (5).

4. **μανεὶς...φιλοτιμίᾳ**: in the diversity of doubtful readings, I have, with some hesitation, taken that of Σ, μανεὶς, *in madness* (*having gone mad*), corresponding (as if it were μανίᾳ) to φιλοτιμίᾳ. The sense is: *who offered myself* (*as* χορηγὸς), *whether it was through madness* (*if you choose to believe this*) or *perhaps* (καὶ) *through ambition*. There is a change in the two clauses with εἴτε from the participle to the dative of manner.

ὑπὲρ δύναμίν τι ποιεῖν) εἴτε καὶ φιλοτιμίᾳ—χορηγὸς ὑπέστην, 5
537 οὕτω φανερῶς καὶ μιαρῶς ἐπηρεάζων παρηκολούθησεν ὥστε μηδὲ τῶν ἱερῶν ἱματίων μηδὲ τοῦ χοροῦ μηδὲ τοῦ σώματος τὼ χεῖρε τελευτῶν ἀποσχέσθαι μου.

Εἰ τοίνυν τις ὑμῶν, ὦ ἄνδρες Ἀθηναῖοι, ἄλλως πως ἔχει **70**
τὴν ὀργὴν ἐπὶ Μειδίαν ἢ ὡς δέον αὐτὸν τεθνάναι, οὐκ ὀρθῶς ἔχει. οὐ γάρ ἐστι δίκαιον οὐδὲ προσῆκον τὴν τοῦ παθόντος εὐλάβειαν τῷ μηδὲν ὑποστειλαμένῳ πρὸς ὕβριν μερίδα εἰς σωτηρίαν ὑπάρχειν, ἀλλὰ τὸν μὲν ὡς ἁπάντων τῶν ἀνηκέ- 5
στων αἴτιον κολάζειν προσήκει, τῷ δ' ἐπὶ τοῦ βοηθεῖν ἀποδιδόναι τὴν χάριν. οὐδὲ γὰρ αὖ τοῦτ' ἔστιν εἰπεῖν, ὡς **71**
οὐ γεγενημένου πώποτ' οὐδενὸς ἐκ τῶν τοιούτων δεινοῦ τῷ λόγῳ τὸ πρᾶγμ' ἐγὼ νῦν αἴρω καὶ φοβερὸν ποιῶ. πολλοῦ γε καὶ δεῖ. ἀλλ' ἴσασιν ἅπαντες, εἰ δὲ μή, πολλοί γε,

6. ἐπαρηκολούθησεν Σ, by confusion of παρηκολούθησεν (vulg.) and ἐπηκολούθησεν P, O.

§ **70.** 2. δέον Σ alone; οὐ δέον vulg. 3. ἔχει vulg.; γινώσκει A. 4. εἰς ὕβριν Y, O.

§ **71.** 1. ἔνεστιν A. 2. οὐ γενημένου (δε γε over οὐ γ) Σ.

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6. **παρηκολούθησεν**, *persecuted* (*followed me up*).

8. **τελευτῶν**, *finally*, refers only to τοῦ σώματος.

§§ **70—76.** (*Forbearance of Demosthenes no defence for Midias.*)

§ **70.** 1. **ἄλλως...τεθνάναι**, *has any other feeling* (or *temper*) *towards M., than* (the feeling) *that he deserves death.* In a peculiar construction, which is a form of *or. obl.*, the gen. or accus. absol. of the participle with ὡς may take the place of ὡς with the indicative. See Xen. An. i. 3, 6, ὡς ἐμοῦ ἰόντος, οὕτω τὴν γνώμην ἔχετε, *understand that I am going*; Mem. iv. 2, 30, ὡς πάνυ μοι δοκοῦν, οὕτως ἴσθι, *know that I think so decidedly.* (See M.T. 917, 918.) Here ἢ ὡς δέον etc. would be in full, ἢ οὕτως, ὡς δέον αὐτὸν τεθνάναι.

4. **εὐλάβειαν**, *forbearance.*—**τῷ μηδὲν ὑποστειλαμένῳ πρὸς ὕβριν**, *to him who has put no restraint on his insolence*: ὑποστέλλω may mean *to cause one to reef* or *take in* a sail, as in Pind. Isth. ii. 40, οὖρος ἐμπνεύσαις ὑπέστειλ' ἱστίον. So in active sense συστέλλω, as in Ar. Ran. 999, συστείλας ἄκροισι χρώμενος τοῖς ἱστίοις. The figure is the same in Eq. 432, συστείλας τοὺς ἀλλᾶντας εἶτ' ἀφήσω κατὰ κῦμ' ἐμαυτὸν οὖριον (see 430, 431): the sausage-seller will *reef* or *take in* his sausages and scud before the wind.—**μερίδα...ὑπάρχειν**, *be available as a help* (contribution) *to his safety.*

6. **ἐπὶ τοῦ βοηθεῖν...χάριν**, *to show your gratitude in* (*by*) *helping him.* Cf. § 76[8], τὰς τοῖς παθοῦσι βοηθείας.

§ **71.** 2. **οὐδενὸς δεινοῦ**: neuter.—**τῷ λόγῳ αἴρω**, *exaggerate.*

4—9. The confusion of this story, in which subject and object are hopelessly mixed, shows that we have an unfinished passage, which the orator could never have spoken (or intended to speak) as it stands. This confusion has caused much corruption by copyists who did not understand the story. I follow Bekker in bracketing καὶ (5) and ὁ τύπτων (8), perhaps suggested by § 72[4]: then Εὔθυνον (5) will be subject of ἀμυνάμενον (9), and τοῦτον (7), repeat-

Εὔθυνον τὸν παλαίσαντά ποτ' ἐκεῖνον, τὸν νεανίσκον, [καὶ] Σώφιλον τὸν παγκρατιαστὴν (ἰσχυρός τις ἦν, μέλας, εὖ οἶδ' ὅτι γιγνώσκουσί τινες ὑμῶν ὃν λέγω),—τοῦτον ἐν Σάμῳ ἐν συνουσίᾳ τινὶ καὶ διατριβῇ οὕτως ἰδίᾳ, ὅτι [ὁ τύπτων] αὐτὸν ὑβρίζειν ᾤετο, ἀμυνάμενον οὕτως ὥστε καὶ ἀποκτεῖναι. ἴσασιν Εὐαίωνα πολλοὶ τὸν Λεωδάμαντος ἀδελφὸν ἀποκτείναντα Βοιωτὸν ἐν δείπνῳ καὶ συνόδῳ κοινῇ διὰ πληγὴν
72 μίαν. οὐ γὰρ ἡ πληγὴ παρέστησε τὴν ὀργήν, ἀλλ' ἡ ἀτιμία· οὐδὲ τὸ τύπτεσθαι τοῖς ἐλευθέροις ἐστὶ δεινόν, καίπερ ὂν δεινόν, ἀλλὰ τὸ ἐφ' ὕβρει. πολλὰ γὰρ ἂν ποιήσειεν ὁ τύπτων, ὦ ἄνδρες Ἀθηναῖοι, ὧν ὁ παθὼν ἕνι' οὐδ' ἂν ἀπαγγεῖλαι δύναιθ' ἑτέρῳ, τῷ σχήματι, τῷ βλέμματι, τῇ φωνῇ, ὅταν ὡς ὑβρίζων, ὅταν ὡς ἐχθρὸς ὑπάρχων, ὅταν κονδύλοις, ὅταν ἐπὶ κόρρης. ταῦτα κινεῖ, ταῦτ' ἐξίστησιν ἀνθρώπους αὐτῶν, ἀήθεις ὄντας τοῦ προπηλακίζεσθαι. οὐ- 538
δεὶς ἂν, ὦ ἄνδρες Ἀθηναῖοι, ταῦτ' ἀπαγγέλλων δύναιτο τὸ δεινὸν παραστῆσαι τοῖς ἀκούουσιν οὕτως, ὡς ἐπὶ τῆς ἀλη-

9. ᾤετο δεῖν Schaefer. ἀμυνάμενον Σ, vulg.; ἀμυνόμενον F. 10. Λαοδάμαντος A: cf. xx. 146.

§ **72.** 8, 9. οὐδεὶς...δύναιτο ἂν A. 9. ἀπαγλων (corr.) Σ.

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ing Σώφιλον, will be its object. The construction is probably parallel to that of ἴσασιν...ἀποκτείναντα (10, 11). Even with these corrections, it is hardly possible that we have what Demosthenes intended to write.

6. **παγκρατιαστήν**: see Arist. Rhet. i. 5, 14, ὁ δὲ θλίβειν καὶ κατέχειν παλαιστικὸς, ὁ δὲ ὦσαι τῇ πληγῇ πυκτικὸς, ὁ δ' ἀμφοτέροις τούτοις παγκρατιαστικός.—**μέλας**, *swarthy*: cf. Plat. Rep. 474 E, μέλανας ἀνδρικοὺς ἰδεῖν.

7. **ἐν συνουσίᾳ...οὕτως ἰδίᾳ**, *in quite a private pleasure party*: συνουσίᾳ καὶ διατριβῇ form one idea, combining company and pleasure. οὕτως with ἰδίᾳ is simply *as we may say*: see Lexicon under οὕτως IV.

8. **ὅτι...ᾤετο**, *because he believed that he* (Sophilus) *was insulting him*.

10. **Λεωδάμαντος**: see Aeschin. iii. 139, Λεωδάμας Ἀχαρνεύς, οὐχ ἧττον Δημοσθένους λέγειν δυνάμενος, ἀλλ' ἐμοιγε καὶ ἡδίων. Cf. Dem. xx. 146.—τὸν Λ. ἀδελφὸν follows Εὐαίωνα.

11. **διὰ**, *because of*.

§ **72.** 1. **παρέστησε**, *roused*: cf. παραστῆναι, § 73[3].

2. **οὐδὲ...ἐστὶ δεινὸν, καίπερ ὂν δεινόν**, *dreadful though it is, it is not the real* δεινόν: cf. viii. 30, δεινὸν ὄν, οὐ δεινόν ἐστιν.

5. **σχήματι** etc., dat. of means with ποιήσειεν.

6. **ὅταν κονδύλοις**: sc. τύπτῃ, i.e. *with the clenched fist*. This speech has the title περὶ τοῦ κονδύλου.

7. **ἐπὶ κόρρης**, *with a box on the ear*, = ἐπὶ τῆς γνάθου, Harpocr. See Quintil. vi. 1, 17, Plurimum affert atrocitatis modus, si graviter, si contumeliose; ut Demosthenes ex parte percussi corporis, ex vultu ferientis, ex habitu invidiam Midiae quaerit.—**ἐξίστησιν αὐτῶν**, *distracts, puts beside themselves*.

10. **παραστῆσαι τοῖς ἀκούουσιν**, *to present to the hearers*.—**ἐπὶ...πράγματος**, *in face of the reality and the actual deed*.

θείας καὶ τοῦ πράγματος τῷ πάσχοντι καὶ τοῖς ὁρῶσιν ἐναργὴς ἡ ὕβρις φαίνεται. σκέψασθε δὴ πρὸς Διὸς καὶ **73**
θεῶν, ὦ ἄνδρες Ἀθηναῖοι, καὶ λογίσασθε παρ' ὑμῖν αὐτοῖς ὅσῳ πλείον' ὀργὴν ἐμοὶ προσῆκε παραστῆναι πάσχοντι τοιαῦθ' ὑπὸ Μειδίου ἢ τότ' ἐκείνῳ τῷ Εὐαίωνι τῷ τὸν Βοιωτὸν ἀποκτείναντι. ὁ μέν γ' ὑπὸ γνωρίμου, καὶ τούτου 5
μεθύοντος, ἐναντίον ἓξ ἢ ἑπτ' ἀνθρώπων ἐπλήγη, καὶ τούτων γνωρίμων, οἳ τὸν μὲν κακιεῖν οἷς ἔπραξε, τὸν δ' ἐπαινέσεσθαι μετὰ ταῦτ' ἀνασχόμενον καὶ κατασχόνθ' ἑαυτὸν ἔμελλον, καὶ ταῦτ' εἰς οἰκίαν ἐλθὼν ἐπὶ δεῖπνον, οἳ μηδὲ βαδίζειν ἐξῆν αὐτῷ. ἐγὼ δ' ὑπ' ἐχθροῦ νήφοντος, ἔωθεν, ὕβρει καὶ οὐκ **74**
οἴνῳ τοῦτο ποιοῦντος, ἐναντίον πολλῶν καὶ ξένων καὶ πολιτῶν ὑβριζόμην, καὶ ταῦτ' ἐν ἱερῷ καὶ οἳ πολλή μοι ἦν ἀνάγκη βαδίζειν χορηγοῦντι. καὶ ἐμαυτὸν μέν γ', ὦ ἄνδρες Ἀθη- 5
ναῖοι, σωφρόνως, μᾶλλον δ' εὐτυχῶς οἶμαι βεβουλεῦσθαι, ἀνασχόμενον τότε καὶ οὐδὲν ἀνήκεστον ἐξαχθέντα πρᾶξαι· τῷ δ' Εὐαίωνι καὶ πᾶσιν, εἴ τις αὐτῷ βεβοήθηκεν ἀτιμαζόμενος, πολλὴν συγγνώμην ἔχω. δοκοῦσι δέ μοι καὶ τῶν **75**
δικασάντων τότε πολλοί· ἀκούω γὰρ αὐτὸν ἔγωγε μιᾷ μόνον ἁλῶναι ψήψῳ, καὶ ταῦτ' οὔτε κλαύσαντα οὔτε δεηθέντα τῶν

§ **73.** 1. *σκέψασθαι* (*ε* over *αι*) Σ. 2. λογίζεσθε A. 7. *ἐφ' οἷς* A; *οἷ'* Cobet. *ἐπαινέσθαι* (*εσ* above line) Σ. 9. *ταῦτ ἔπαθεν* A. *τὸ δεῖπνον* (*τὸ* dotted) Σ. *μη* Σ^1 (*δε* above line).
§ **74.** 2. *ταῦτα* A. 3. [*ὑβριζόμην*] Weil. *οὗ* Σ, A, F. 6. *μηδὲν* A, F. 7. *εἴ τις* marg. Σ^1. *ἀτιμαζόμενος* Σ, A, F; vulg. *ἀτιμαζομένῳ*.
§ **75.** 2. *δικαστῶν* A. *αὐτὸν* after *μόνον* A.

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§ **73.** 3. **ὅσῳ...προσῆκε παραστῆναι**, *how much greater wrath ought to have been roused in me*: *παραστῆναι ὀργήν* is like a passive to *παρέστησε ὀργὴν* in § 72^1.—**πάσχοντι** is causal.
4. **Εὐαίωνι** (like *ἐμοί*), i.e. *in his mind*.
8. **ἀνασχόμενον**, *for bearing* the insult patiently.
9. **ἐλθὼν**, with *ὁ μὲν* (5).—**μηδὲ**, with *βαδίζειν*: i.e. *Euaeon need not have gone to the house at all*: cf. § $74^{3,4}$.
§ **74.** 3. **ἐν ἱερῷ**: the theatre was the sanctuary of Dionysus.
4. **ἐμαυτὸν**, emphatic subject of *βεβουλεῦσθαι*, antithetic to *τῷ δ' Εὐαίωνι* (7). See note on § 203.
5. **εὐτυχῶς**: he ascribes his forbearance in not attacking Midias in the theatre partly to his good fortune (cf. Cor. 252).
6. **ἐξαχθέντα**, *impelled*.
7. **αὐτῷ βεβοήθηκεν**, *has come to his own aid*, has taken the law into his own hands (King).
§ **75.** 1. **δοκοῦσι**, sc. *αὐτῷ συγγνώμην σχεῖν*.

δικαστῶν οὐδενὸς, οὔτε φιλάνθρωπον οὔτε μικρὸν οὔτε μέγ' οὐδ' ὁτιοῦν πρὸς τοὺς δικαστὰς ποιήσαντα. θῶμεν τοίνυν οὑτωσὶ, τοὺς μὲν καταγνόντας αὐτοῦ μὴ ὅτι ἠμύνατο, διὰ 539 τοῦτο καταψηφίσασθαι, ἀλλ' ὅτι τοῦτον τὸν τρόπον ὥστε καὶ ἀποκτεῖναι, τοὺς δ' ἀπογνόντας καὶ ταύτην τὴν ὑπερβολὴν **76** τῆς τιμωρίας τῷ γε τὸ σῶμα ὑβρισμένῳ δεδωκέναι. τί οὖν; ἐμοὶ τῷ τοσαύτῃ κεχρημένῳ προνοίᾳ τοῦ μηδὲν ἀνήκεστον γενέσθαι, ὥστε μηδ' ἀμύνασθαι, παρὰ τοῦ τὴν τιμωρίαν ὧν πέπονθ' ἀποδοθῆναι προσήκει; ἐγὼ μὲν οἶμαι παρ' ὑμῶν καὶ τῶν νόμων, καὶ παράδειγμά γε πᾶσι γενέσθαι τοῖς ἄλλοις, ὅτι τοὺς ὑβρίζοντας ἅπαντας καὶ τοὺς ἀσελγεῖς οὐκ αὐτὸν ἀμύνεσθαι μετὰ τῆς ὀργῆς, ἀλλ' ἐφ' ὑμᾶς ἄγειν δεῖ, ὡς βεβαιούντων ὑμῶν καὶ φυλαττόντων τὰς ἐν τοῖς νόμοις τοῖς παθοῦσι βοηθείας.

77 Οἶμαι τοίνυν τινὰς ὑμῶν, ὦ ἄνδρες δικασταὶ, ποθεῖν ἀκοῦσαι τὴν ἔχθραν, ἥτις ἦν ἡμῖν πρὸς ἀλλήλους· νομίζειν γὰρ οὐδέν' ἂν ἀνθρώπων οὕτως ἀσελγῶς καὶ βιαίως οὐδενὶ

5. ποιήσαντα (w. ς added) Σ. 7. καὶ ψηφίσασθαι P, Y, O. τὸν repeated Σ.

§ **76.** 5. με πᾶσι P; τοῦτον γενέσθαι A. 7. ἀμύνασθαι A. 8. νόμοις Σ, A; νόμοις κατὰ τῶν ἀδικούντων vulg. 9. τιμωρίας for βοηθείας A.

§ **77.** 1. Ἀθηναῖοι (marked with commas) before δικασταὶ Σ. 3. οὐδενα ἂν θρώπων Σ; ἂν om. A.

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4. **φιλάνθρωπον**, *what would be agreeable to the judges*. See xix. 139 (of Philip), ἐν θυσίᾳ τινὶ καὶ δείπνῳ πίνων καὶ φιλανθρωπευόμενος πρὸς αὐτούς. — **οὔτε μικρὸν οὔτε μέγ' οὐδ' ὁτιοῦν** (so xix. 17): οὐδ' ὁτιοῦν is not coordinate with οὔτε... οὔτε, but belongs to φιλάνθρωπον, *nor anything agreeable whatsoever, either small or great:* cf. ix. 5, οὔτε μικρὸν οὔτε μέγ' οὐδὲν τῶν δεόντων ποιούντων ὑμῶν.

7. **τοῦτον...ἀποκτεῖναι**, i.e. "*by a form of defence which led to the death of his opponent*," as they might have expressed it.

8. **καὶ ταύτην...τιμωρίας**, *even this excess of punishment*, killing Boeotus.

9. **δεδωκέναι**, *have allowed*: cf. Cor. 139[3], δότε δ', εἰ βούλεσθε, δότ' αὐτῷ τοῦτο.

§ **76.** 2. **τοῦ...γενέσθαι** is object of προνοίᾳ: cf. Antiph. v. 43, τὸ ἀποκτεῖναι τὸν ἄνδρα προυνοησάμην.

3. **τὴν τιμωρίαν...ἀποδοθῆναι**: this implies that the condemnation of Midias by the court is *a satisfaction* which will *be given* to Demosthenes *as his due* (ἀποδοθῆναι).

5. **παράδειγμα...γενέσθαι** (sc. προσήκει), *that an example should be given.*

7. **αὐτὸν**, *himself, with his own hands*, sc. τινά.—**μετὰ τῆς ὀργῆς**, *in the moment of his wrath.*

8. **τὰς...βοηθείας**: cf. § 70[6].

V. Outrages of Midias (outside of the προβολή). §§ **77—142.**

1. Against Demosthenes (§§ **77—127**):

(*a*) Before the προβολή (§§ 77—101).

(*b*) After the προβολή (§§ 102—125).

(*c*) Conclusion (§§ 126, 127).

2. Against others (§§ **128—142**).

§§ **77—101.** (*Imposition of the trierarchy upon Demosthenes, and treatment of the Arbiter Straton.*)

τῶν πολιτῶν χρήσασθαι, μὴ μεγάλου τινὸς ὄντος ὃ αὐτῷ προωφείλετο. βούλομαι δὴ καὶ περὶ ταύτης ὑμῖν ἐξ ἀρχῆς εἰπεῖν καὶ διηγήσασθαι, ἵν' εἰδῆθ' ὅτι καὶ τούτων ὀφείλων δίκην φανήσεται. ἔσται δὲ περὶ αὐτῶν βραχὺς ὁ λόγος, κἂν ἄνωθεν ἄρχεσθαι δοκῶ. ἡνίκα τὰς δίκας ἔλαχον τῶν πα- **78** τρῴων τοῖς ἐπιτρόποις, μειρακύλλιον ὢν κομιδῇ καὶ τοῦτον οὐδ' εἰ γέγονεν εἰδὼς οὐδὲ γιγνώσκων, ὡς μηδὲ νῦν ὤφελον, τότε μοι μελλουσῶν εἰσιέναι τῶν δικῶν εἰς ἡμέραν ὥσπερεὶ τετάρτην ἢ πέμπτην εἰσεπήδησαν ἀδελφὸς ὁ τούτου καὶ οὗτος εἰς τὴν οἰκίαν ἀντιδιδόντες τριηραρχίαν. τοὔνομα

4. ἂν χρήσασθαι F; ἂν χρῆσθαι A. 6. τὴν μεγίστην ὀφείλων A. 7. δίκην Σ; δοῦναι δίκην vulg. βραχὺς περὶ αὐτῶν A.

§ **78.** 3. ὄφελον A, P, Y, O. 5. εἰσεπήδησεν A. ἀδελφὸς Bekk.; ὁ ἀδελφὸς B; ἀδελφὸς vulg.; αδελφὸς Σ.

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§ **77.** 5. **μὴ...προωφείλετο**, lit. *had there not been some great debt already due to him*, i.e. *some great wrong for which vengeance was due to him.*

5. **ταύτης** (*τῆς ἔχθρας*): *τούτων* (6) is what caused the emmity.

6. **ὀφείλων δίκην**: Midias will appear rather a debtor than a creditor.

8. **ἄνωθεν**, *from the outset*, when Dem. was about 18 years old: cf. § 160 (end).

§ **78.** 1. **τὰς δίκας ἔλαχον**, *entered my suit: δίκην λαγχάνειν* was *to secure a place for a suit* on the docket, which was done by personal application to the magistrate (or magistrates) who had the *ἡγεμονία δικαστηρίου* in the case. It is probable that the place on the docket, when several suitors appeared at the same time (as at the opening of the magistrate's office), was decided by lot (*λάχος*), whence *λαγχάνειν*. The place on the docket decided the order in which the suits would be brought into court. The suit itself was often called *λῆξις* (generally used of private cases, *δίκαι*). Thus *λῆξις κλήρου*, as a law term, meant not *gaining an inheritance*, but *entering a claim to an inheritance* (*κλῆρος*) in the Archon's office.

2. **τοῖς ἐπιτρόποις**: Dem. at first brought three suits against his three guardians to recover his paternal property (*τῶν πατρώων*), but finally brought only one (against his chief guardian, Aphobus) to trial.—**μειρακύλλιον κομιδῇ**, *just a mere boy*, a double diminutive from *μεῖραξ*. He brought the suits in 366 B.C. when he was about eighteen; but the trial did not come until 364. *κομιδῇ*, from stem of *κομίζω*, is *carefully, exactly*, often a strong affirmative answer in Plato; see Rep. 444 D, and Theaet. 155 A, *κομιδῇ μέν οὖν*.—**τοῦτον**, the defendant Midias.

3. **οὐδ' εἰ...γιγνώσκων**: we should say *neither knowing him nor even being aware of his existence.* Cobet brackets *οὐδὲ γιγνώσκων*, but this can hardly have been a gloss on *οὐδ'...εἰδὼς*.—**ὡς...ὤφελον**, lit. *as would that I did not even now: ὤφελον* with the infin. is analogous to *ἔδει* and *χρῆν*, *ὤφελον ὀλέσθαι* being originally *I ought to have perished*, which came to mean *would that I had perished.* The original meaning was sometimes further obscured by prefixing *εἰ γάρ* or *εἴθε*, as in other forms of wish.

4. **εἰσιέναι**, sc. *εἰς τὸ δικαστήριον*: cf. *ἐπειδή τις εἰσάγει* of the president of the court, § 3[3].—**εἰς ἡμέραν** looks forward to the day.—**ὥσπερεί**, *as it were, about.*

6. **ἀντιδιδόντες τριηραρχίαν**, *offering* (demanding) *that I should assume a trierarchy, with the alternative of exchange of property* (*ἀντίδοσις*). This occurred eight years before the system of symmories was introduced in the trierarchy; and the burden of fitting out and commanding

μὲν δὴ παρέσχεν ἐκεῖνος, καὶ ἦν ὁ ἀντιδιδοὺς Θρασύλοχος·
79 τὰ δ' ἔργα πάντ' ἦν καὶ τὰ πραττόμεν' ὑπὸ τούτου. καὶ 540
πρῶτον μὲν κατέσχισαν τὰς θύρας τῶν οἰκημάτων, ὡς αὐτῶν
ἤδη γιγνομένας κατὰ τὴν ἀντίδοσιν· εἶτα τῆς ἀδελφῆς, ἔτ'
ἔνδον [οὔσης] τότε καὶ παιδὸς οὔσης κόρης, ἐναντίον ἐφθέγ-
γοντ' αἰσχρὰ καὶ τοιαῦτ' οἷ' ἂν ἄνθρωποι τοιοῦτοι φθέγξαιντο

8. ἐργ' ἅπαντ' Σ. ἦν after πραττόμενα A.
§ **79.** 4. [οὔσης] τότε Weil. 5. οἱ ἂν θρωποι Σ; ἂν om. A.

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the ships in the navy was then assigned in rotation to the citizens who had a certain amount of property, under the direction of the board of *στρατηγοί*. As the estate of Demosthenes had been assessed at about its original value by his fraudulent guardians and was always taxed at the highest rate (see xxvii. 7), he could legally be assumed to be of trierarchic rank when he came of age in 364 B.C.; though it was a notorious fact that he was reduced almost to poverty during his minority. Any citizen to whom the trierarchy (or any λῃτουργία) had been assigned by the authorities had a right to demand of anyone to whom he claimed the burden should more properly have been assigned on the ground of his larger estate, that he should either assume the trierarchy or exchange property with the claimant. An appeal to some tribunal, probably the board of Generals, was open to him, which had the power to hold a *διαδικασία*, to decide which of the two was bound to take the trierarchy; if this went against the appellant, he was obliged to accept the *ἀντίδοσις* or the trierarchy. In the present case the offer was made with fraudulent intent, in the belief that the impoverished condition of Dem. would make it impossible for him to bear the burden of the trierarchy, while, as no time remained for an appeal to a *διαδικασία*, he would be compelled to accept the exchange of property. As all lawsuits affecting the value of the estate would be transferred by the *ἀντίδοσις*, the pending suit of Demosthenes against Aphobus would of course pass over to Thrasylochus; and this was the whole purpose of the procedure. To escape this fatal alternative, Demosthenes borrowed the money, giving his house and other property as security, and saved his suit. See xxviii. 17: *ὡς γὰρ τὰς δίκας ταύτας ἔμελλον εἰσιέναι κατ' αὐτῶν, ἀντίδοσιν ἐπ' ἐμὲ παρεσκεύασαν, ἵν', εἰ μὲν ἀντιδοίην, μὴ ἐξείη μοι πρὸς αὐτοὺς ἀντιδικεῖν, ὡς καὶ τῶν δικῶν τούτων τοῦ ἀντιδιδόντος γιγνομένων, εἰ δὲ μηδὲν τούτων ποιοίην, ἵν' ἐκ βραχείας οὐσίας λῃτουργῶν παντάπασιν ἀναιρεθείην·... ἀντέδωκα μέν, ἀπέκλεισα δὲ ὡς διαδικασίας τευξόμενος· οὐ τυχὼν δὲ ταύτης, τῶν χρόνων ὑπογύων ὄντων, ἵνα μὴ στερηθῶ τῶν δικῶν, ἀπέτισα τὴν λῃτουργίαν, ..βουλόμενος εἰς ὑμᾶς εἰσελθεῖν τὰς πρὸς τουτουσὶ δίκας.* See Appendix IV. § 7.

8. **τὰ ἔργα**, *the real acts*, as opposed to *τοὔνομα*.—**τούτου**, Midias.

§ **79.** 2. **κατέσχισαν τὰς θύρας** (cf. Xen. An. vii. 1, 16): this was probably done after Dem. had provisionally accepted the *ἀντίδοσις*, when Thrasylochus could claim the right to inspect the property and to make an inventory, to secure himself against removal or concealment of the goods. See, in note above, *ἀντέδωκα μέν, ἀπέκλεισα δέ*, where *ἀπέκλεισα* may mean either he *reserved the right* to an appeal to a *διαδικασία*, or *he stopped the ἀντίδοσις* with this object. It is easy to believe that a man like Midias would take advantage of any show of legal right to do the acts here described. It will be noticed that the later suit of Demosthenes against Midias (§ 81) touched only the *κακηγορία* (3—8).

3. **γιγνομένας** (not *οὔσας*), *coming to be theirs*: cf. *ὡς αὐτῶν οὔσας* (9), *assuming them to be theirs*.—**ἔτ' ἔνδον οὔσης**, *still living at home*, as an unmarried daughter of the house (see King).

4. **παιδὸς κόρης**: see Aristoph. Lys. 595, *παῖδα κόρην γεγάμηκεν* (Weil).

(οὐ γὰρ ἔγωγε προαχθείην ἂν εἰπεῖν πρὸς ὑμᾶς τῶν τότε ῥηθέντων οὐδέν), καὶ τὴν μητέρα κἀμὲ καὶ πάντας ἡμᾶς ῥητὰ καὶ ἄρρητα κακ' ἐξεῖπον· ὃ δ' οὖν δεινότατον καὶ οὐ λόγος, ἀλλ' ἔργον ἤδη· τὰς δίκας ὡς αὐτῶν οὔσας ἠφίεσαν τοῖς ἐπιτρόποις. καὶ ταῦτ' ἐστὶ μὲν παλαιά, ὅμως δέ τινας ὑμῶν **80** μνημονεύειν οἴομαι· ὅλη γὰρ ἡ πόλις τὴν ἀντίδοσιν καὶ τὴν ἐπιβουλὴν τότε ταύτην καὶ τὴν ἀσέλγειαν ᾔσθετο. κἀγὼ τότε παντάπασιν ἔρημος ὢν καὶ νέος κομιδῇ, ἵνα μὴ τῶν παρὰ τοῖς ἐπιτρόποις ἀποστερηθείην, οὐχ ὅσ' ἐδυνήθην 5 ἀνακομίσασθαι προσδοκῶν εἰσπράξειν, ἀλλ' ὅσων ἐμαυτῷ συνῄδειν ἀπεστερημένῳ, δίδωμ' εἴκοσι μνᾶς τούτοις, ὅσου τὴν τριηραρχίαν ἦσαν μεμισθωκότες. τὰ μὲν δὴ τόθ' ὑβρίσματα τούτων εἰς ἐμὲ ταῦτ' ἐστίν. δίκην δὲ τούτῳ **81** λαχὼν ὕστερον τῆς κακηγορίας εἷλον ἐρήμην· οὐ γὰρ ἀπήντα. λαβὼν δ' ὑπερήμερον καὶ ἔχων, οὐδενὸς ἡψάμην

9. ἀφίεσαν Σ, A.

§ **80.** 2. οἴομαι Σ, A; οἶμαι vulg. 5. ἠδυνήθην A. 6. κομίσασθαι A, F. 9. τούτων ὑβρίσματα A; ἠσελγημένα τούτων F γρ. τούτων Σ, vulg.; τούτῳ A.

§ **81.** 2. κατηγορίας B. 3. ἅπαντα (η over second α) Σ.

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7. **ῥητὰ καὶ ἄρρητα**, *dicenda, tacenda*; cf. Cor. 122[6].

9. **τὰς δίκας ἠφίεσαν**, *they took steps to abandon the suits* (impf.). Of course they could not actually stop the suits until the estate was theirs: ὡς makes this clear.

§ **80.** 4. **τῶν...ἐπιτρόποις**, *the property still remaining in the hands of his guardians.*

5. **ὅσ' ἐδυνήθην ἀνακομίσασθαι**, *not merely the little which I succeeded in recovering.*

7. **ἀπεστερημένῳ** (*or. obl.*): M.T. 908. —**εἴκοσι μνᾶς**, one-third of a talent: as this was a *συντριηραρχία*, the expense of the whole *τριηραρχία* for the year was forty minas. See Appendix IV. § 8. The weight of silver in the Attic talent (57¾ lbs. avoir.), before the recent fall in the price of silver, when pure silver had an average value of 57 pence per ounce Troy, and English standard silver (·925 fine) one of 52·7 pence, was worth about £200 or $1000. See Liddell and Scott, s.v. *τάλαντον*. Now it would be worth little more than half of this. When standard silver is 26⅞ pence, the talent would be worth about £100.

8. **ἦσαν μεμισθωκότες**: this refers to the custom which became common when two joined in one trierarchy, and was the rule under the later system of symmories, of the trierarchs contracting with an outsider for the performance of the whole duty of the trierarchy, including fitting out the ship and commanding her during the year of service.

§ **81.** 2. **κακηγορίας**: § 79[4–8].—**εἷλον ἐρήμην** (sc. *δίκην*), i.e. *I gained the case by his default.*

3. **ἀπήντα**: ἀπαντῶ is often used of *appearing* in court, i.e. *meeting* an opponent there.—**ὑπερήμερον**: cf. § 11[3].—**καὶ ἔχων**, *and still holding him ὑπερήμερον*.—**οὐδενὸς...τῶν τούτου**: Schaefer quotes Cic. Epist. ad Fam. ii. 17, 4, teruncium nec attigit nec tacturus est quisquam.

πώποτε τῶν τούτου, ἀλλὰ λαχὼν ἐξούλης πάλιν οὐδέπω καὶ
5 τήμερον εἰσελθεῖν δεδύνημαι· τοσαύτας τέχνας καὶ σκήψεις
οὗτος εὑρίσκων ἐκκρούει. κἀγὼ μὲν οὕτως εὐλαβῶς τῇ δίκῃ,
τοῖς νόμοις ἅπαντα πράττειν ἀξιῶ· ὁ δ', ὡς ὑμεῖς ἀκούετε,
ἀσελγῶς οὐ μόνον εἰς ἐμὲ καὶ τοὺς ἐμοὺς ᾤετο δεῖν ὑβρίζειν,
82 ἀλλὰ καὶ εἰς τοὺς φυλέτας δι' ἐμέ. ὡς οὖν ταῦτ' ἀληθῆ λέγω, 541
κάλει μοι τούτων τοὺς μάρτυρας, ἵν' εἰδῆθ' ὅτι, πρὶν κατὰ
τοὺς νόμους δίκην ὧν πρότερον ἠδικήθην λαβεῖν, πάλιν
τοιαῦθ' οἷα ἀκηκόαθ' ὕβρισμαι.

ΜΑΡΤΥΡΙΑ.

5 [Καλλισθένης Σφήττιος, Διόγνητος Θορίκιος, Μνησίθεος Ἀλω-
πεκῆθεν, οἴδαμεν Δημοσθένην, ᾧ μαρτυροῦμεν, κρίσιν λελογχότα
Μειδίᾳ ἐξούλης, τῷ καὶ νῦν ὑπ' αὐτοῦ κρινομένῳ δημοσίᾳ, καὶ ἤδη
τῇ κρίσει ἐκείνῃ διαγεγονότα ἔτη ὀκτὼ, καὶ τοῦ χρόνου γεγενημένον
παντὸς αἴτιον Μειδίαν ἀεὶ προφασιζόμενον καὶ ἀναβαλλόμενον.]

83 Ὃ τοίνυν πεποίηκεν, ὦ ἄνδρες Ἀθηναῖοι, περὶ τῆς δίκης
ἀκούσατε, καὶ θεωρεῖτε ἐφ' ἑκάστου τὴν ὕβριν καὶ τὴν
ὑπερηφανίαν αὐτοῦ. τῆς γὰρ δίκης, ταύτης λέγω ἧς εἷλον
αὐτὸν, γίγνεταί μοι διαιτητὴς Στράτων Φαληρεὺς, ἄνθρωπος

4. πω τῶν A. ἐξουλῆς Σ (cf. § 91[6]). 7. πάντα A.

§ **82.** ΜΑΡΤΥΡΙΑ om. A.

§ **83.** 1. πεποίηκεν Σ, A, P, O; πεποίηκε κακὸν vulg. 3. ἧς λέγω ταύτης ἣν εἷλον αὐτὸν Σ γρ.

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4. **λαχὼν ἐξούλης** (sc. *δίκην*): in most private suits a successful plaintiff was left to secure his damages from the defendant by legal means. If the defendant failed to pay his damages on the appointed day, he became *ὑπερήμερος* and his property might be attached by the plaintiff. If the plaintiff was hindered in the attachment (*ἐνεχυράζειν*), he could proceed by the *δίκη ἐξούλης*, an ejectment suit, in which a defeated defendant forfeited to the state the same amount which he was compelled to pay to the plaintiff. For this peculiar suit see Appendix VI. (G).

5. **εἰσελθεῖν** (sc. *εἰς τὸ δικαστήριον*): he never succeeded *in getting into court* with his suit.

6, 7. **τῇ δίκῃ, τοῖς νόμοις**: dat. of means.

9. **εἰς τοὺς φυλέτας δι' ἐμὲ**: the wrong done his tribe by the treatment of Dem. during his *χορηγία* (§ 18[7–9]).

§ **82.** 2—4. This refers to the outrages in the theatre, which he suffered before he could get satisfaction for those connected with the trierarchy fourteen years before.

§ **83.** 1. **τῆς δίκης** refers to the whole legal process which grew out of the original *δίκη κακηγορίας* (§ 81[2]): see line 3.

4. **διαιτητὴς**, *a public arbiter*. Our knowledge of this important class has been greatly enlarged by Aristotle's

πένης μέν τις καὶ ἀπράγμων, ἄλλως δ' οὐ πονηρὸς ἀλλὰ καὶ πάνυ χρηστός· ὅπερ τὸν ταλαίπωρον οὐκ ὀρθῶς οὐδὲ δικαίως ἀλλὰ καὶ πάνυ αἰσχρῶς ἀπολώλεκεν. οὗτος διαιτῶν ἡμῖν **84** ὁ Στράτων, ἐπειδή ποθ' ἧκεν ἡ κυρία, πάντα δ' ἤδη διεξεληλύθει τἀκ τῶν νόμων, ὑπωμοσίαι καὶ παραγραφαί, καὶ οὐδὲν ἔτ' ἦν ὑπόλοιπον, τὸ μὲν πρῶτον ἐπισχεῖν ἐδεῖτό μου

6. ὅπερ καὶ O. οὐδὲ δικαίως after αἰσχρῶς (7) Σ, P, F, Y, O.
§ **84**. 1. οὗτος Σ, P, Y, O; οὑτοσὶ vulg. 3. ταῦτα τἀκ Σ.

Constitution of Athens, § 53. (See Sandys's notes on this passage.) The arbiters of each year were those citizens who in that year entered upon their sixtieth year. Those who became eighteen in any year were enrolled among the citizens in that year; and they were then assigned to one of the 42 Attic heroes who were known as the *ἐπώνυμοι τῶν ἡλικιῶν*, i.e. heroes to whom belonged the 42 groups of citizens who were between 18 and 60 years old. To each group who were enrolled in a given year was given as their *ἐπώνυμος* the hero to whom had belonged those who were arbiters in the previous year, i.e. those who had then reached their sixtieth year; and this group retained this *ἐπώνυμος* 42 years, until the end of their own 60th year, when he was transferred to the youth who had just come of age. The 30 district justices (*οἱ κατὰ δήμους*), who were originally established by Pisistratus and re-established by Pericles, were increased to 40 after the year of the Thirty Tyrants. They had then ceased to be circuit judges, and probably held their sessions in the city. They were chosen annually by lot, four from each tribe. To these nearly all private suits were brought for entry: Aristotle (Const. of Ath. § 53[1]) says, *πρὸς οὓς τὰς ἄλλας δίκας λαγχάνουσιν*, having just spoken of suits brought to the *ἔνδεκα*, the *εἰσαγωγεῖς*, and the *ἀποδέκται*. Probably the four judges of each tribe received the cases in which the defendant belonged to their tribe (see below). They could decide *αὐτοτελεῖς* all cases not involving more than ten drachmas; all above this they brought before single public arbiters. The arbiter tried the case (without a jury) unless he could effect a compromise; and if his judgment was accepted by both parties, it settled the case. But either party could appeal to a Heliastic court; and the four judges who were of the defendant's tribe brought the case before 201 judges if it involved no more than 1000 drachmas, and before 401 if it involved a larger amount. It thus appears that every private suit had to be tried by a public arbiter before it could come into court. The arbiter in each case was chosen by lot, so that the public arbiters were often called *διαιτηταὶ κληρωτοί*. Straton was thus chosen to arbitrate the *δίκη κακηγορίας* between Demosthenes and Midias.

5. **ἄλλως**, *moreover, besides*.

6. **ὅπερ** refers to *γίγνεταί μοι διαιτητής* (4): his serving as my arbiter brought about his ruin.

7. **αἰσχρῶς**, *shamefully*, in opposition to *χρηστὸς* (6).

§ **84**. 2. **ἡ κυρία**, the day appointed for the arbiter's decision.—**πάντα...νόμων**, *all that the law allowed had taken its course* (i.e. to prolong the trial): an unusual intransitive use of *διεξέρχομαι* (see Buttmann's Index).

3. **ὑπωμοσίαι καὶ παραγραφαί**, obstructive processes. Παραγραφή is usually a kind of *demurrer*, a plea before the case is opened, against its admissibility: see Pollux viii. 57, *παραγραφὴ δ' ἦν ὅταν τις μὴ εἰσαγώγιμον λέγῃ εἶναι τὴν δίκην*, and Meier and Schömann, pp. 849—852. But here the connection with *ὑπωμοσίαι*, and the rest of the narrative in lines 4—7, make it most probable that *παραγραφή* has the special meaning given in Poll. viii. 60, *ὁπόταν τις παρὰ διαιτηταῖς παραγραψάμενος, καὶ ὑπωμοσάμενος νόσον ἢ ἀποδημίαν, εἰς τὴν κυρίαν μὴ ἀπαντήσας ἐρήμην ὤφλη*. Παραγραφή is properly an *objection*; and *ὑπωμοσία* is *the interposi-*

τὴν δίαιταν, ἔπειτ' εἰς τὴν ὑστεραίαν ἀναβαλέσθαι· τὸ τελευταῖον δ', ὡς οὔτ' ἐγὼ συνεχώρουν οὔθ' οὗτος ἀπήντα, **85** τῆς δ' ὥρας ἐγίγνετ' ὀψὲ, κατεδιήτησεν. ἤδη δ' ἑσπέρας 542 οὔσης καὶ σκότους ἔρχεται Μειδίας οὑτοσὶ πρὸς τὸ τῶν ἀρχόντων οἴκημα, καὶ καταλαμβάνει τοὺς ἄρχοντας ἐξιόντας καὶ τὸν Στράτωνα ἀπιόντ' ἤδη, τὴν ἔρημον δεδωκότα, ὡς ἐγὼ τῶν παραγενομένων τινὸς ἐπυνθανόμην. τὸ μὲν οὖν πρῶτον οἷός τ' ἦν πείθειν αὐτὸν ἢν καταδεδιητήκει ταύτην ἀποδεδιητημένην ἀποφαίνειν, καὶ τοὺς ἄρχοντας μεταγράφειν, **86** καὶ πεντήκοντα δραχμὰς αὐτοῖς ἐδίδου· ὡς δ' ἐδυσχέραινον οὗτοι τὸ πρᾶγμα καὶ οὐδετέρους ἔπειθεν, ἀπειλήσας καὶ

5. τὸ τελευταῖον Σ, vulg.; τελευτῶν A.

§ **85**. 7. ἀποφαίνειν A, O, F γρ., Y (corr.); ἀποφέρειν Σ, Y^1, vulg. (Σ has ἀπέφηνεν § 96[6]).

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tion of an oath (from ὑπόμνυμι), usually made to support a demand for delay or an excuse for absence. Meier (Diäteten Athens, p. 26) quotes a defective passage of the Rhetorical Lexicon in the Appendix of Porson's Photius (p. 673[8]), which he thus emends and applies to this passage of Demosthenes: ἐνίους δὲ, ἀσθενὲς τὸ δίκαιον ἔχοντας καὶ δεδοικότας τὴν καταδίαιταν, χρόνους ἐμβάλλειν (sc. φησὶ) καὶ σκήψεις, οἵας δοκεῖν εἶναι εὐλόγους· καὶ τὸ μὲν πρῶτον παραγράφεσθαι, τὸ <δὲ δεύτερον> ὑπόμνυσθαι νόσον ἢ ἀποδημίαν, καὶ τελευτῶντας ἐπὶ τὴν κυρίαν αὐτῆς <τῆς> διαίτης ἡμέραν οὐκ ἀπαντῶντας.... So Meier and Schömann, p. 910. In this view, our passage means, that after all legal devices had been tried in vain to delay the arbitration and prevent a decision, and the appointed day had come, Midias appealed to Demosthenes to suspend the arbitration indefinitely, and finally to postpone the decision for a single day,—all in vain. The arbiter waited until nightfall, and when Midias did not appear, he was condemned by default. Midias allowed this to happen, thinking that he could escape the judgment by default more easily than a regular decision in his presence.

7. **κατεδιήτησεν**, *he decided the arbitration against him*: cf. καταδικάζω.

§ **85**. 2. **τὸ...οἴκημα**, *the archons' office*. It appears that the arbiters came at the end of each day to have their judgments signed by the archons, and Midias knew that he should meet Straton at their office.

3, 4. **ἐξιόντας...ἀπιόντ' ἤδη**: from the original distinction of ἀπό, *away from*, and ἐξ, *out from*, we may explain that of these participles here. The meaning probably is, that Midias found the archons *about to go out* from their office, while Straton was already *going home*. Often, as here, the distinction is very slight: in Plat. Prot. 335 C, D, we have ἀνιστάμην ὡς ἀπιών, *I was getting up to depart*; and ἤδη ἀνεστήκη ὡς ἐξιών, *I had already risen to go out*, both referring to the movement of Socrates to leave the company. The participle ἰών, not in *or. obl.*, may be either future or present: here ἤδη may mark ἐξιών as present.

4. **τὴν ἔρημον** (sc. δίκην) **δεδωκότα**, *having already given to the archons his judgment against Midias by default*.

5—7. He was at first successful in his attempt to persuade Straton to change his judgment and the archons to change their attestation.

8. **ἐδίδου**, *offered*, as in Aeschin. iii. 83, Ἀλόννησον ἐδίδου.

§ **86**. 2. **τὸ πρᾶγμα**, i.e. doing all this for a bribe.

διαλοιδορηθεὶς ἀπελθὼν τί ποιεῖ; καὶ θεάσασθε τὴν κακοήθειαν. τὴν μὲν δίαιταν ἀντιλαχὼν οὐκ ὤμοσεν, ἀλλ' εἴασε καθ' ἑαυτοῦ κυρίαν γενέσθαι, καὶ ἀνώμοτος ἀπηνέχθη· βουλόμενος δὲ τὸ μέλλον λαθεῖν, φυλάξας τὴν τελευταίαν ἡμέραν τῶν διαιτητῶν, τὴν τοῦ θαργηλιῶνος ἢ τοῦ σκιροφοριῶνος γιγνομένην, εἰς ἣν ὁ μὲν ἦλθε τῶν διαιτητῶν, ὁ δ' οὐκ ἦλθε, πείσας τὸν πρυτανεύοντα δοῦναι τὴν ψῆφον παρὰ **87** πάντας τοὺς νόμους, κλητῆρ' οὐδ' ὀντινοῦν ἐπιγραψάμενος,

§ **86.** 4—6. *τὴν μὲν δίαιταν...λαθεῖν* obelized in Σ, F and B. 7. *ἢ τὴν* A. *τὴν τοῦ...γιγνομένην* (8) bracketed by Schaefer, Weil, King.

§ **87.** 1. *δοῦναι ψῆφον* Y, O. 2. *ὀντι* (*ν' οὖν* above line) Σ; *ὅντιν'* P, Y, O.

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3. **κακοήθειαν**, *malignity*: he now proceeds deliberately to ruin Straton.

4. **τὴν δίαιταν ἀντιλαχὼν** (like *δίκην ἀντιλαχὼν*), *he entered an appeal to a court against the arbiter's judgment*: as this was a case of default, he might have said *τὴν ἔρημον ἀντιλαχὼν* (see xxxii. 27): *τὴν μὴ οὖσαν ἀντιλαχεῖν* was used especially of an appeal from an arbiter's judgment (Poll. viii. 60).—**οὐκ ὤμοσεν**: after a suit or appeal was entered, each party took an oath, asseverating the justice of his cause (*διωμοσία*). By neglecting this form Midias made it appear that he had decided not to press his appeal but to acquiesce in the arbiter's decision (*εἴασε καθ' ἑαυτοῦ κυρίαν*).

5. **ἀνώμοτος ἀπηνέχθη**, *he was returned as unsworn*, i.e. as not qualified to prosecute his appeal. This was to put Straton off his guard: cf. *βουλόμενος... λαθεῖν* (6).

6. **φυλάξας ... διαιτητῶν**, *having watched for the arbiters' last day*. This cannot be the last day of their term of office, which would always be the last day of the year, and we cannot suppose that Athens was left without public arbiters for even a few weeks at the end of each year. In § 87[7] *διαιτητὴν γενέσθαι* **Μειδίᾳ** implies that Straton, if he had not become *ἄτιμος*, might have acted as arbiter after the time here mentioned. The words must refer to the last day appointed for hearing complaints against individual arbiters before the whole board for misconduct in office. This process was the *εἰσαγγελία τῶν διαιτητῶν*: see Arist. Const. of Ath., § 53[6], *ἔστιν δὲ καὶ εἰσαγγελία εἰς τοὺς διαιτητάς, ἐάν τις ἀδικηθῇ ὑπὸ τοῦ διαιτητοῦ, κἂν τινος καταγνῶσιν, ἀτιμοῦσθαι κελεύουσιν οἱ νόμοι· ἔφεσις δ' ἐστὶ καὶ τούτοις.* Harpocration (s.v. *εἰσαγγελία*) has the same account, with *πρὸς τοὺς δικαστάς* (which Bergk emended to *διαιτητάς*, now confirmed by Aristotle). This *τελευταία ἡμέρα* might come in either of the last two months of the year, so that the words in 7, 8, *τὴν... γιγνομένην*, generally marked as an interpolation, become a perfectly natural explanation. There was no certainty of any particular arbiter being present on the day in question unless he had been previously summoned to answer to some charge (*ὁ μὲν ἦλθε, ὁ δ' οὐκ ἦλθε*); and Straton was, by a clever trick of Midias, condemned in his absence, as is described in § 87.

§ **87.** 1. **τὸν πρυτανεύοντα**, *the presiding διαιτητής*.—**παρὰ πάντας τοὺς νόμους**: the illegality appears in *κλητῆρ' οὐδ' ὀντινοῦν ἐπιγραψάμενος*, i.e. in sending a summons to Straton with no witness to testify to its being legally served, so that there was no evidence before the board that he had been summoned at all, and a strong presumption from his absence that he had not been. Midias in some way induced the chairman to overlook this irregularity, which in the regular courts was a fatal one, vitiating the whole procedure; and Straton was condemned by default.

2. **κλητῆρ'**, *witness to a summons*. In the ordinary legal process, the plaintiff was required to serve his summons personally on the defendant, and he took

κατηγορῶν ἔρημον, οὐδενὸς παρόντος, ἐκβάλλει καὶ ἀτιμοῖ τὸν διαιτητήν· καὶ νῦν εἰς Ἀθηναίων, ὅτι Μειδίας ἔρημον ὤφλε δίκην, ἁπάντων ἀπεστέρηται τῶν ἐν τῇ πόλει καὶ καθάπαξ ἄτιμος γέγονε, καὶ οὔτε λαχεῖν ἀδικηθέντα οὔτε διαιτητὴν γενέσθαι Μειδίᾳ οὔθ' ὅλως τὴν αὐτὴν ὁδὸν βαδί-
88 ζειν, ὡς ἔοικεν, ἔστ' ἀσφαλές. δεῖ δὴ τοῦτο τὸ πρᾶγμ' ὑμᾶς οὑτωσὶ σκέψασθαι, καὶ λογίσασθαι τί ποτ' ἐστὶν ὃ παθὼν Μειδίας οὕτως ὠμὸν τηλικαύτην ἐπεβούλευσε λαβεῖν τῶν 543
πεπραγμένων παρ' ἀνδρὸς πολίτου δίκην, κἂν μὲν ᾖ τι δεινὸν ὡς ἀληθῶς καὶ ὑπερφυὲς, συγγνώμην ἔχειν, ἐὰν δὲ μηδὲν, θεάσασθε τὴν ἀσέλγειαν καὶ τὴν ὠμότητα, ᾗ καθ' ἁπάντων χρῆται τῶν ἐντυγχανόντων. τί οὖν ἔσθ' ὃ πέπονθεν; μεγά-

3. κατηγορῶν Σ, A; κατηγόρων vulg. ἔρημον Σ, ἐρήμην Σ γρ. 6. λαχεῖν w. δίκην above line Σ; λαχεῖν δίκην F.

§ **88.** §§ 88–92⁴ (ποιεῖ) obelized in Σ, F and B. 3. ἐπεβούλευσαι (ε over αι) Σ; Σ γρ. has ὥστε επιβουλευσαι τηλικαυτην λαβειν τῶν. 5. ἔχει Σ¹ (ν later). 6. θεάσασθε Σ and all other MSS.; θεάσασθαι Blass. πάντων ἀεὶ A.

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with him two witnesses (κλητῆρες) who testified by their signatures to the legality of the summons. We do not know whether the whole of this form was required to summon an arbiter to the εἰσαγγελία τῶν διαιτητῶν; but the power of the board to inflict complete ἀτιμία on the accused would imply that the whole process was formal, and this passage shows that the omission of a κλητήρ was illegal. It may be doubted whether the plaintiff was here required to give the summons in person: if he was allowed to send it by a messenger, the obvious inference that Straton had not received it in any legal form is clearly explained, in the absence of even a single witness. What was probably the original use of κλητήρ, as the actual *summoner*, remained when the defendant was outside of Attica. Thus the summons to Alcibiades in Sicily in 315 B.C. was sent from Athens by a messenger called κλητήρ: see Arist. Av. 147, κλητῆρ' ἄγουσ' ἔωθεν ἡ Σαλαμινία, and 1422, κλητὴρ νησιωτικός, and Dem. Cor. 150⁷.

3. **ἐκβάλλει**, *expels* from the board of arbiters: this shows that their term of office was not yet ended.—**ἀτιμοῖ**: see Aristotle quoted in note on § 86⁶, ἀτιμοῦσθαι κελεύουσιν.

6. **καθάπαξ ἄτιμος**: there were two kinds of ἀτιμία, one *complete*, which deprived a man of all his rights as a citizen, and one *partial*, which deprived him of certain rights and left him the others. A familiar case of partial ἀτιμία is that of a plaintiff who failed to get one-fifth of the votes of the court in a public suit: he lost the right to bring a similar suit hereafter and was fined 1000 drachmas (see larger ed. of De Corona, p. 331, n. 3). —**λαχεῖν ἀδικηθέντα**, *to bring a suit when wronged*.

7. **Μειδίᾳ**: *for Midias or anybody else*.

§ **88.** 3. Notice the antithesis of οὕτως ὠμὸν and τηλικαύτην δίκην.

6. **θεάσασθε** corresponds to δεῖ συγγνώμην ἔχειν, and gives the more important clause greater vividness. Blass reads θεάσασθαι, perhaps rightly, as Σ frequently has αι for final ε.

7. **τί...πέπονθεν**; refers to τί...παθὼν (2).—**μεγάλην...δίκην**: the answer of some defender of Midias, to which the reply follows, ἀλλὰ χιλίων κ.τ.λ. (9).

λην νὴ Δί' ὤφλε δίκην, καὶ τοσαύτην ὥστ' ἀποστερεῖσθαι
τῶν ὄντων. ἀλλὰ χιλίων ἡ δίκη μόνον ἦν δραχμῶν· πάνυ **89**
γε, ἀλλὰ δάκνει καὶ τοῦτο, φαίη τις ἄν, ὅταν ἐκτίνειν ἀδίκως
δέῃ, συνέβη δὲ ὑπερημέρῳ γενομένῳ λαθεῖν αὐτῷ διὰ τὸ
ἀδικηθῆναι. ἀλλ' αὐθημερὸν μὲν ἤσθετο, ὃ καὶ μέγιστόν
ἐστι τεκμήριον τοῦ μηδὲν ἠδικηκέναι τὸν ἄνθρωπον· δραχμὴν
δ' οὐδέπω μίαν ἐκτέτεικεν. ἀλλὰ μή πω τοῦτο. ἀλλὰ τὴν **90**
μὴ οὖσαν ἀντιλαχεῖν αὐτῷ ἐξῆν δήπου, καὶ πρὸς ἐμὲ
τὸ πρᾶγμα καταστήσασθαι, πρὸς ὅνπερ ἐξ ἀρχῆς ἦν ἡ
δίκη. ἀλλ' οὐκ ἐβούλετο. ἀλλ' ἵνα μὴ Μειδίας ἀτίμητον

§ **89.** 4. καὶ ὃ P. 6. ἐκτέτικεν MSS.; ι over erasure Σ.
§ **90.** 2. ἐξῆν αὐτῷ A, F. 4. ἐβούλετο Σ, P; ἠβούλετο vulg.

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9. **τῶν ὄντων** = *τῆς οὐσίας*.

§ **89.** 1. **χιλίων** (sc. *δραχμῶν*): the fine for *κακηγορία*, at least for using any of the forbidden epithets (among which were *ἀνδροφόνος*, *ῥίψασπις*, *πατραλοίας*, *μητραλοίας*) was 500 drachmas. Here the double penalty must belong to a double *κακηγορία* of Midias, against Demosthenes and his mother, or against his mother and sister (cf. § 79). See Lys. x. 2, 6; Meier and Schömann, pp. 628—632; note on Cor. 123[8].

3. **ὑπερημέρῳ...ἀδικηθῆναι**, *to let the day of payment* (of his fine) *slip because of the injustice of his condemnation* (cf. *ἐκτίνειν ἀδίκως* in 2); his feeling that he was unjustly defaulted by Straton made him careless about the day of payment. The Scholia say: *ἀσαφὲς εἶναι δοκεῖ τοῦτο ...τοῦτο τὸ μέρος ὠβέλισται παρὰ τῶν κριτικῶν καὶ ὡς ἀδιόρθωτον παραλέλειπται.* The meaning is certainly obscure. In Σ and F the whole passage §§ 88—92[4] (*ἄκυρον ποιεῖ*) is obelized, and also the last sentence (*εἰ γὰρ...φαίνεται*) in § 92.

4. **αὐθημερὸν ἤσθετο**, *he found it out on the very day* of his default,—as was shown by his coming the same evening to the archons' office and his eagerness to settle the case on the spot. There he must have heard of the long deliberation with which Straton took action in his absence late in the day. All this must have made it evident that he had not been treated with injustice by Straton's action (*τοῦ μηδὲν ἠδικηκέναι τὸν ἄνθρωπον*).

5. **δραχμὴν...ἐκτέτεικεν**: though he had no possible excuse on the ground of unjust treatment for becoming *ὑπερήμερος*, *he has not even yet paid a single drachma.* The *προθεσμία*, the time allowed for paying the fine or damages, was fixed by law and may have differed in different cases; but Midias could have no excuse for ignorance on this point.

6. **ἀλλὰ μή πω τοῦτο** (sc. *λέγωμεν*), sed de hoc posterius (Wolf); but *ἀλλ' οὔπω περὶ τούτων* (sc. *λέξομεν*, Cor. 99[10]). The subject is again mentioned in § 91.

§ **90.** 1. **τὴν μὴ οὖσαν ἀντιλαχεῖν**: see note on § 86[4]. This expression implies that the former suit was declared *non-existent*, and the plaintiff could begin again with a fresh suit.

2. **πρὸς ἐμὲ...καταστήσασθαι**, *to re-open his suit with me* (i.e. my suit for *κακηγορία* against him).

4. **ἀτίμητον δέκα μνῶν δίκην**, *a suit for* 10 *minas* (1000 drach.) *in which the penalty was fixed by law* (so that no higher damages would be feared). The distinction between *ἀγῶνες τιμητοί*, where the court had the duty of *τίμησις*, *deciding the penalty* if the defendant lost his case, and *ἀγῶνες ἀτίμητοι*, where the law had fixed the penalty, is the familiar one. Demosth. here chooses to represent the *ἀγὼν ἀτίμητος* as the less dangerous. On the contrary, Aeschines, iii. 210, *οὐχ ὁ μὲν τὴν γραφὴν φεύγων Κτησιφῶν, ὁ δ' ἀγὼν οὐκ ἀτίμητος*; i.e. *is not the case an ἀγὼν τίμητος* (*no ἀγὼν ἀτίμητος*), *where the court can let off the defendant with a slight penalty?* implies that the *ἀγὼν τίμητος* would be more favourable for the defendant.

ἀγωνίσηται δέκα μνῶν δίκην, πρὸς ἣν οὐκ ἀπήντα δέον, καὶ εἰ μὲν ἠδίκηκε, δίκην δῷ, εἰ δὲ μή, ἀποφύγῃ, ἄτιμον Ἀθηναίων ἔν' εἶναι δεῖ καὶ μήτε συγγνώμης μήτε λόγου μήτε ἐπιεικείας μηδεμιᾶς τυχεῖν, ἃ καὶ τοῖς ὄντως
91 ἀδικοῦσιν ἅπανθ' ὑπάρχει. ἀλλ' ἐπειδή γε ἠτίμωσεν ὃν ἐβουλήθη, καὶ τοῦτ' ἐχαρίσασθ' αὐτῷ, καὶ τὴν ἀναιδῆ γνώμην, ᾗ ταῦτα προαιρεῖται ποιεῖν, ἐνέπλησεν αὐτοῦ, ἐκεῖν' ἐποίησε, τὴν καταδίκην ἐκτέτεικε, δι' ἣν τὸν ἄνθρωπον ἀπώλεσεν; οὐδὲ χαλκοῦν οὐδέ πω καὶ τήμερον, ἀλλὰ δίκην ἐξούλης ὑπομένει φεύγειν. οὐκοῦν ὁ μὲν ἠτίμωται καὶ παραπόλωλεν, ὁ δ' οὐδ' ὁτιοῦν πέπονθεν, ἀλλ' ἄνω κάτω τοὺς νόμους, τοὺς διαιτητάς, πάνθ' ὅσ' ἂν βούληται 544
92 στρέφει. καὶ τὴν μὲν κατὰ τοῦ διαιτητοῦ γνῶσιν, ἣν ἀπρόσκλητον κατεσκεύασεν, αὐτὸς κυρίαν αὑτῷ πεποίηται· ἣν δ' αὐτὸς ὤφλεν ἐμοὶ προσκληθεὶς, εἰδὼς, οὐκ ἀπαντῶν, ἄκυρον ποιεῖ. καίτοι εἰ παρὰ τῶν ἔρημον καταδιαιτησάντων αὐτοῦ

8. λόγου μήτε ἐλέου Σ γρ. ἐπ' εἰκειας Σ.

§ **91.** 2. ἠβουλήθη Σ, P; ἐβούλετο A. 4. ἐκτέτικε MSS.; ι over erasure Σ (cf. § 89[6]). δι' ἧς P, Y, O. 6. ἐξουλῆς Σ (cf. § 81[4]). φεύγην (ει over η) Σ. 8. καὶ κάτω A. ὅσα βούλεται A.

§ **92.** 1. μὲν om. A. 2. αυτω Σ; ἑαυτῷ vulg. πεποίηκεν F.

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5. **οὐκ ἀπήντα δέον**, *did not appear when he ought* (§ 84[6]).

8. **ἐπιεικείας**, *equity, equitable treatment*: see [Aristot.] Eth. v. 10, 6, *καὶ ἔστιν αὕτη ἡ φύσις ἡ τοῦ ἐπιεικοῦς, ἐπανόρθωμα νόμου ᾗ ἐλλείπει διὰ τὸ καθόλου.* See note, with quotations from Aristotle, on Cor. 275[3].

§ **91.** 2. **τοῦτ' ἐχαρίσασθ' αὐτῷ**, *you* (the Heliastic court) *gratified him* (Midias) *by your assent.* An appeal to a court was allowed to an arbiter condemned to *ἀτιμία* in the *εἰσαγγελία τῶν διαιτητῶν* (Arist. Const. of Ath., § 53[6], quoted above § 86[6]). It appears that Straton had appealed from the decision of his fellow-arbiters, and the court had sustained Midias against him.—**τὴν ἀναιδῆ γνώμην ἐνέπλησεν**, *had satiated his shameless animosity*: cf. Thuc. vii. 68, 1, *ἀποπλῆσαι τῆς γνώμης τὸ θυμούμενον.*

4. **τὴν κατιδίκην δι' ἣν**, *the fine, to save which* he had ruined Straton.

5. **χαλκοῦν**, the eighth of an obol.

6. **δίκην...φεύγειν**, i.e. *he is waiting to have a δίκη ἐξούλης brought* to force him to pay.

7. **παραπόλωλεν** is well defined by Shilleto in his note on *μὴ συμπαραπόλωμαι*, Dem. Fals. Legat. 175, "*lest I should jointly along with him be ruined.*" He thus translates our *παραπόλωλεν* "has become an accessory victim" (to Midias, whose main victim was Demosthenes): he refers to Arist. Vesp. 1228, *παραπολεῖ βοώμενος.*

§ **92.** 1. **ἀπρόσκλητον**, i.e. a judgment *when there had been no legal summons* (§ 87[2]), is in antithesis to *προσκληθεὶς* (3): the meaning is that Midias has gained what he wanted (*κυρίαν πεποίηται*) from the irregular judgment against Straton, while he makes the regular judgment in my favour against himself of no value to me (*ἄκυρον ποιεῖ*).

τηλικαύτην δίκην οὗτος ἀξιοῖ λαμβάνειν, τίν' ὑμῖν προσήκει παρὰ τούτου λαβεῖν τοῦ φανερῶς τοὺς ὑμετέρους νόμους ἐφ' ὕβρει παραβαίνοντος; εἰ γὰρ ἀτιμία καὶ νόμων καὶ δικῶν καὶ πάντων στέρησις ἐκείνου τἀδικήματος προσήκουσ' ἐστὶ δίκη, τῆς γ' ὕβρεως μικρὰ θάνατος φαίνεται. ἀλλὰ μὴν ὡς **93** ἀληθῆ λέγω, κάλει μοι τούτων μάρτυρας, καὶ τὸν τῶν διαιτητῶν ἀνάγνωθι νόμον.

ΜΑΡΤΥΡΙΑ.

[Νικόστρατος Μυρρινούσιος, Φανίας Ἀφιδναῖος οἴδαμεν Δημοσθένην, ᾧ μαρτυροῦμεν, καὶ Μειδίαν τὸν κρινόμενον ὑπὸ Δημοσθένους, ὅτ' αὐτῷ Δημοσθένης ἔλαχε τὴν τοῦ κακηγορίου δίκην, ἑλομένους διαιτητὴν Στράτωνα, καὶ ἐπεὶ ἦκεν ἡ κυρία τοῦ νόμου, οὐκ ἀπαντήσαντα Μειδίαν ἐπὶ τὴν δίαιταν, ἀλλὰ καταλιπόντα. γενομένης δὲ ἐρήμου κατὰ Μειδίου, ἐπιστάμεθα Μειδίαν πείθοντα τόν τε Στράτωνα τὸν διαιτητὴν καὶ ἡμᾶς, ὄντας ἐκείνοις τοῖς χρόνοις ἄρχοντας, ὅπως τὴν δίαιταν αὐτῷ ἀποδιαιτήσομεν, καὶ διδόντα δραχμὰς πεντήκοντα, καὶ ἐπειδὴ οὐχ ὑπεμείναμεν, προσαπειλήσαντα ἡμῖν καὶ οὕτως ἀπαλλαγέντα. καὶ διὰ ταύτην τὴν
545 αἰτίαν ἐπιστάμεθα Στράτωνα ὑπὸ Μειδίου καταβραβευθέντα καὶ παρὰ πάντα τὰ δίκαια ἀτιμωθέντα.]

Λέγε δὴ καὶ τὸν τῶν διαιτητῶν νόμον. **94**

ΝΟΜΟΣ.

[Ἐὰν δέ τινες περὶ συμβολαίων ἰδίων πρὸς ἀλλήλους ἀμφισβητῶσι καὶ βούλωνται διαιτητὴν ἑλέσθαι ὁντινοῦν, ἐξέστω αὐτοῖς αἱρεῖσθαι ὃν ἂν βούλωνται. ἐπειδὰν δ' ἕλωνται κατὰ κοινόν, μενέτωσαν ἐν τοῖς ὑπὸ τούτου διαγνωσθεῖσι, καὶ μηκέτι μεταφερέτωσαν ἀπὸ τούτου ἐφ' ἕτερον δικαστήριον ταὐτὰ ἐγκλήματα, ἀλλ' ἔστω τὰ κριθέντα ὑπὸ τοῦ διαιτητοῦ κύρια.]

6. φανερῶς οὕτω F. 7 (εἰ γὰρ)—9 (φαίνεται) obelized in Σ, F, B. 8. τἀδικήματος Σ, P, Y, O; τοῦ ἀδικ. vulgo. 9. ἔμοιγε φαίνεται F.
§ **93.** 2. μάρτυρας Σ, P, Y, O; τοὺς μάρτυρας vulgg.

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5. **τηλικαύτην δίκην,** *such heavy retribution.*—**τίν'** (sc. δίκην).
7. **νόμων...στέρησις** is all part of the ἀτιμία.
9. **μικρὰ** (sc. δίκη).

95 Κάλει δὴ καὶ τὸν Στράτωνα αὐτὸν τὸν τοιαῦτα πεπονθότα· ἑστάναι γὰρ ἐξέσται δήπουθεν αὐτῷ.

Οὗτος, ὦ ἄνδρες Ἀθηναῖοι, πένης μὲν ἴσως ἐστὶν, οὐ πονηρὸς δέ γε. οὗτος μέντοι πολίτης ὢν, ἐστρατευμένος ἁπάσας τὰς ἐν ἡλικίᾳ στρατείας καὶ δεινὸν οὐδὲν εἰργασμένος, ἕστηκε νυνὶ σιωπῇ, οὐ μόνον τῶν ἄλλων ἀγαθῶν τῶν κοινῶν ἀπεστερημένος, ἀλλὰ καὶ τοῦ φθέγξασθαι ἢ ὀδύρασθαι· καὶ οὐδ' εἰ δίκαι' ἢ ἄδικα πέπονθεν, οὐδὲ ταῦτ' **96** ἔξεστιν αὐτῷ πρὸς ὑμᾶς εἰπεῖν. καὶ ταῦτα πέπονθεν ὑπὸ Μειδίου καὶ τοῦ Μειδίου πλούτου καὶ τῆς ὑπερηφανίας παρὰ τὴν πενίαν καὶ ἐρημίαν καὶ τὸ τῶν πολλῶν εἷς εἶναι. καὶ εἰ μὲν παραβὰς τοὺς νόμους ἔλαβε τὰς πεντήκοντα δραχμὰς παρ' αὐτοῦ, καὶ τὴν δίκην ἣν κατεδιήτησεν ἀποδεδιητημένην ἀπέφηνεν, ἐπίτιμος ἂν ἦν καὶ οὐδὲν ἔχων κακὸν τῶν ἴσων μετεῖχε τοῖς ἄλλοις ἡμῖν· ἐπειδὴ δὲ παρεῖδε πρὸς τὰ δίκαια Μειδίαν, καὶ τοὺς νόμους μᾶλλον ἔδεισε τῶν ἀπειλῶν τῶν τούτου, τηνικαῦτα τηλικαύτῃ καὶ τοιαύτῃ συμφορᾷ περιπέ- 546
97 πτωκεν ὑπὸ τούτου. εἶθ' ὑμεῖς τὸν οὕτως ὠμὸν, τὸν οὕτως ἀγνώμονα, τὸν τηλικαύτας δίκας λαμβάνονθ' ὧν αὐτὸς ἠδικῆσθαι φησὶ μόνον (οὐ γὰρ ἠδίκητό γε), τοῦτον ὑβρίζοντα λαβόντες εἷς τινα τῶν πολιτῶν ἀφήσετε; [καὶ μήθ' ἑορτῆς

§ **95.** 1. τοιαῦτα Σ, F; τὰ τοιαῦτα vulg. 3. οὗτος...Ἀθηναῖοι obelized in B. 7. ἢ Σ, vulg.; καὶ A. 8. οὐδ' Σ, vulg.; οὔτ' A.

§ **96.** 3. τὴν ἐρημίαν A. 5. κατεδιήτησεν ἀποδεδιητημένην Σ; καταδιήτησεν B. 10. ἀδίκως ὑπὸ A. In lines 4, 7, 8, Σ has ἔλαβεν, μετεῖχεν, ἔδεισεν, before consonants, and often elsewhere.

§ **97.** 4. λαμβάνοντες A.

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§ **95.** 2. **ἑστάναι ἐξέσται**, *he will be allowed to stand* before you, though he cannot speak or testify in writing. He was legally non-existent.

5. **ἐν ἡλικίᾳ**, *while he was of the military age*, from 18 to 59, the 60th year being devoted to service as arbiter (§ 83[4]).

8. **ὀδύρασθαι**: he cannot do anything which would appeal to the sympathy of the judges.

§ **96.** 4—6: see § 85[5–8].

6. **ἐπίτιμος**, *in full possession of his civic rights*, the direct opposite of ἄτιμος.

7. **πρὸς τὰ δίκαια**, *in comparison with justice*, when justice came in question.

§ **97.** 2. **ὧν** represents τῶν ἀδικημάτων ἃ.

4. **μήθ' ἑορτῆς...πρόνοιαν ποιούμενον**: μήθ' and μήτε indicate a supposed case, which might have been described by ὃς μὴ πρόνοιαν ποιεῖται. This does not apply to the preceding clauses with λαβόντες

μήθ' ἱερῶν μήτε νόμου μήτ' ἄλλου μηδενὸς πρόνοιαν ποιού- 5
μενον—] οὐ καταψηφιεῖσθε; οὐ παράδειγμα ποιήσετε; καὶ τί **98**
φήσετ', ὦ ἄνδρες δικασταί; καὶ τίν', ὦ πρὸς τῶν θεῶν, ἕξετ'
εἰπεῖν πρόφασιν δικαίαν ἢ καλήν; ὅτι νὴ Δί' ἀσελγής ἐστι
καὶ βδελυρός; ταῦτα γάρ ἐστι τἀληθῆ· ἀλλὰ μισεῖν ὀφείλετ',
ἄνδρες Ἀθηναῖοι, δήπου τοὺς τοιούτους μᾶλλον ἢ σώζειν. 5
ἀλλ' ὅτι πλούσιός ἐστιν; ἀλλὰ τοῦτό γε τῆς ὕβρεως αὐτοῦ
σχεδὸν αἴτιον εὑρήσετ' ὄν, ὥστ' ἀφελεῖν τὴν ἀφορμήν, δι' ἣν
ὑβρίζει, προσήκει μᾶλλον ἢ σῶσαι διὰ ταύτην· τὸ γὰρ
χρημάτων πολλῶν θρασὺν καὶ βδελυρὸν καὶ τοιοῦτον
ἄνθρωπον ἐᾶν εἶναι κύριον ἀφορμήν ἐστιν ἐφ' ὑμᾶς αὐτοὺς 10
δεδωκέναι. τί οὖν ὑπόλοιπον; ἐλεῆσαι νὴ Δία· παιδία γὰρ **99**
παραστήσεται καὶ κλαήσει καὶ τούτοις αὐτὸν ἐξαιτήσεται·
τοῦτο λοιπόν. ἀλλ' ἴστε δήπου ὅτι τοὺς ἀδίκως τι πάσχοντας
ὃ μὴ δυνήσονται φέρειν ἐλεεῖν προσήκει, οὐ τοὺς ὧν πεποιή-
κασι δεινῶν δίκην διδόντας. καὶ τίς ἂν ταῦτ' ἐλεήσειε 5
δικαίως, ὁρῶν τὰ τοῦδ' οὐκ ἐλεηθέντ' ὑπὸ τούτου, ἃ τῇ τοῦ

5. νόμων A. ποιούμενον om. in Σ, added in marg. 6. τοῖς ἄλλοις ποιήσετε; A. The words καὶ μήθ' (4)—ποιήσετε; (6) are obelized in Σ, F, doubly in B. I bracket καὶ μήθ'...ποιούμενον.

§ **98.** 2. καὶ Σ, P, Y, O; om. vulg. 3, 4. ἐστιν, βδελλυρός, ἐστιν Σ. 5. ὦ vulg.; om. Σ, P, O. δήπου after τοιούτους A, F. 8. προσήκει A; προσῆκε Σ, vulg. 10. ἀνεῖναι (for ἐᾶν εἶναι) A.

§ **99.** 2. κλαιήσει Σ, vulg.; κλαήσει, Dind., Weil, Blass. 3. ὑπόλοιπον A. 3 (ἀλλ' ἴστε)—5 (διδόντας) obelized Σ, F, B. 3. που A. τι κακὸν F. 4. ἀφαιρεῖν Σ γρ. 5. ἐλεήσειεν Σ.

(1—4); and ποιούμενον can hardly be the object of either ἀφήσετε or καταψηφιεῖσθε. I therefore bracket καὶ μήθ'...ποιούμενον as an unfinished sentence. The words καὶ μήθ'...ποιήσετε; are obelized in Σ, F, B, perhaps on account of the mixture of constructions.

§ **98.** 3. **ὅτι...βδελυρός**; heightens the absurdity of looking for an excuse for Midias.

7. **ἀφορμήν**, *starting-point*, what gives him the means of doing what he does. Cf. Thuc. i. 90, τὴν Πελοπόννησον πᾶσιν ἔφασαν...ἀφορμὴν ἱκανὴν εἶναι.

§ **99.** 1. **ἐλεῆσαι νὴ Δία**, with bitter irony: *pity him, forsooth!*

2. **παραστήσεται**, *he will place his children by his side* (with middle force): cf. Aeschin. iii. 154, παραστησάμενος τοὺς ὀρφάνους (of the herald).—**τούτοις**, *for their sakes.*

4. **ὃ μὴ δυνήσονται**: conditional with μή, the antecedent of ὅ (τι) being indefinite. This corresponds to εἰ μὴ δυνήσονται = εἰ μὴ μέλλουσιν δύνασθαι (not = ἐὰν μὴ δύνωνται). (See M.T. 527.)

6. **τὰ τοῦδ'**: Straton's children.

πατρὸς συμφορᾷ χωρὶς τῶν ἄλλων κακῶν οὐδ' ἐπικουρίαν ἐνοῦσαν ὁρᾷ; οὐ γάρ ἐστιν ὄφλημ' ὅ τι χρὴ καταθέντ' ἐπίτιμον γενέσθαι τουτονὶ, ἀλλ' ἁπλῶς οὕτως ἠτίμωται τῇ
100 ῥύμῃ τῆς ὀργῆς καὶ τῆς ὕβρεως τῆς Μειδίου. τίς οὖν 547
ὑβρίζων παύσεται καὶ δι' ἃ ταῦτα ποιεῖ χρήματ' ἀφαιρεθήσεται, εἰ τοῦτον μὲν ὥσπερ δεινὰ πάσχοντ' ἐλεήσετε, εἰ δέ τις πένης μηδὲν ἠδικηκὼς ταῖς ἐσχάταις συμφοραῖς ἀδίκως
5 ὑπὸ τούτου περιπέπτωκε, τούτῳ δ' οὐδὲ συνοργισθήσεσθε; μηδαμῶς· οὐδεὶς γάρ ἐστι δίκαιος τυγχάνειν ἐλέου τῶν
101 μηδέν' ἐλεούντων οὐδὲ συγγνώμης τῶν ἀσυγγνωμόνων. ἐγὼ γὰρ οἶμαι πάντας ἀνθρώπους φέρειν ἀξιοῦν παρ' αὑτῶν εἰς τὸν βίον αὐτοῖς ἔρανον παρὰ πάνθ' ὅσα πράττουσιν· οἷον

8. ὁρῶ Σ γρ. 9. τοῦτον F. οὗτος Σ, F.

§ **100.** 2. διὰ ταῦθ ἃ A. 3. τοῦτον μὲν text before Bekker; so Dind., Weil: μὲν om. MSS. Buttm., Bekk., Blass, King omit μὲν and read ἐλεήσετε; 4. πένης ὢν A. 5. δ' οὐδὲ Σ, P, Y, O; δὲ οὐ A, F; δὲ μὴ vulg. 6. ἐστὶν Σ. §§ 100, 101 obelized in Σ, F, B.

§ **101.** 2. γὰρ ἡγοῦμαι A. 3. ἔρανον: Σ γρ. has in the margin ἐράνους οὐ τούτους μόνους οὓς οὗτοι συλλέγουσιν, ἀλλὰ καὶ ἄλλους, οἷον, chiefly from § 184 (end). Most MSS. (not Σ and A) have in the text (after πράττουσιν in 3) οὐ τοῦτον μόνον ὃν συλλέγουσι καὶ οὗ πληρωταὶ γίγνονταί τινες, ἀλλὰ καὶ ἄλλον, from the same source.

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7. **οὐδ' ἐπικουρίαν ἐνοῦσαν**, *that not even any relief is possible* (cf. ἔνεστιν).

8. **ὄφλημ'**, *debt, penalty* (to be paid), by discharging which Straton could recover his civic rights.

9. **ἁπλῶς ἠτίμωται**: cf. καθάπαξ ἄτιμος, § 87[6].

10. **ῥύμῃ**, *impetuosity* (*rush*), from stem of ῥέω.

§ **100.** 2. **δι' ἃ...χρήματα**, i.e. the wealth which enables him to commit such outrages.

3—5. **εἰ τοῦτον μὲν...συνοργισθήσεσθε**: the double protasis (with the *former* εἰ) is εἰ τοῦτον μὲν ἐλεήσετε,... τούτῳ δ' οὐδὲ συνοργισθήσεσθε, *if you are to pity this man and then not even feel wrathful sympathy for the other: τούτῳ* δὲ (for apodotic δέ see M.T. 512) sums up the dependent clause εἰ δέ...περιπέπτωκε, for which we might have had (more regularly but with less emphasis) πένητι δέ τινι, ὃς...περιπέπτωκε (see Weil). There is a strong antithesis between pitying Midias and not even being moved to sympathy for Straton. For οὐδὲ in protasis, closely connected with one word (here the verb) rather than with the whole clause, see M.T. 384.

§ **101.** The idea and the metaphor of this section are repeated in different language in §§ 184, 185. The latter passage is more clearly expressed, and was probably intended to take the place of this. Here we have another proof of the want of final revision. Both §§ 100 and 101 are obelized in Σ and F.

2. **οἶμαι...πράττουσιν**, *I think that all men deem it right to make a contribution from their several means, throughout all their actions, for the benefit of their own lives.* This is much more clearly expressed in § 184[6–8], νομίζω ... αὐτοῖς. An ἔρανος was originally a meal to which each person contributed his share, a picnic; but it came to mean a club to which the members contributed, and from which each could claim help, under certain rules, in case of need. It also meant, as here, the contribution itself. The meaning is, that each man must expect to receive from such a fund, which

ἐγώ τις οὑτοσὶ μέτριος πρὸς ἅπαντάς εἰμι, ἐλεήμων, εὖ ποιῶν πολλούς· ἅπασι προσήκει τῷ τοιούτῳ ταὔτ' εἰσφέρειν, ἐάν του καιρὸς ἢ χρεία παραστῇ. ἕτερος οὗτός τις βίαιος, οὐδένα δ' οὔτ' ἐλεῶν οὔθ' ὅλως ἄνθρωπον ἡγούμενος· τούτῳ τὰς ὁμοίας φορὰς παρ' ἑκάστου δίκαιον ὑπάρχειν. σὺ δή, πληρωτὴς τοιούτου γεγονὼς ἐράνου σεαυτῷ, τοῦτον δίκαιος εἶ συλλέξασθαι.

Ἡγοῦμαι μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, καὶ εἰ μηδὲν **102** ἔτ' ἄλλ' εἶχον κατηγορεῖν Μειδίου, μηδὲ δεινότερ' ἦν ἃ μέλλω λέγειν ὧν εἴρηκα, δικαίως ἂν ὑμᾶς ἐκ τῶν εἰρημένων καὶ καταψηφίσασθαι καὶ τιμᾶν αὐτῷ τῶν ἐσχάτων. οὐ μὴν ἐνταῦθ' ἔστηκε τὸ πρᾶγμα, οὐδ' ἀπορήσειν μοι δοκῶ τῶν μετὰ ταῦτα· τοσαύτην ἀφθονίαν οὗτος πεποίηκε κατηγοριῶν. ὅτι μὲν δὴ λιποταξίου γραφὴν κατεσκεύασε κατ' ἐμοῦ καὶ **103** τὸν τοῦτο ποιήσοντ' ἐμισθώσατο, τὸν μιαρὸν καὶ λίαν

5. ταῦτα Σ ; ταῦτα vulg. 6. του Σ ; ποι Y, O ; που vulg. οὗτος Σ ; οὑτοσὶ vulg. βίαιος ὠμὸς A. 7. δ' οὔτ' Σ, P, Y, O ; οὔτ' vulg. 8. τὰς αὐτὰς φορὰς F.

§ **102.** 1. μὲν om. A. 2. ἔτ' om. A. 4. 1st καὶ added from Σ, F, P, Y, O (Dind.).

§ **103.** 1. κατεσκεύασεν Σ. 2. ποιήσαντ' Σ, Y, O.

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has been accumulated by his acts to his fellow men, just what he has contributed to it.

4. **ἐγώ τις οὑτοσὶ**, *here am I now* (let us suppose).

5. **ταὔτ' εἰσφέρειν**, to *pay him back the same.*

7. **οὐθ' ὅλως ἄνθρωπον**, *no man at all:* in § 185 we have for this τοὺς μὲν πτωχούς, τοὺς δὲ καθάρματα, τοὺς δ' οὐδ' ἀνθρώπους ὑπολαμβάνων.

8. **φορὰς**, *payments*: cf. χρημάτων ἡ φορά, Thuc. i. 96.

9. **πληρωτὴς**, *a contributor.* The Patmos scholia, quoted by Weil, thus interprets: ὁ προεισενηνοχώς τινα ἔρανον, ἐπὶ τὸ ὕστερον αὐτὸ ἀπολαβεῖν, which seems to justify taking σεαυτῷ with πληρωτὴς, *one who has contributed such an ἔρανος for himself* (for his own benefit), rather than with συλλέξασθαι.

(*b*) Outrages of Midias against Demosthenes after the *προβολή* (§§ 102—125). See before § 77.

§§ **102, 103.** (*Attempt to prosecute Demosthenes for deserting his post,* λιποτάξιον).

§ **102.** 4. **τιμᾶν αὐτῷ τῶν ἐσχάτων**, i.e. *to condemn him to death.* τιμᾶν is used of the judges in *estimating the penalty* of a convicted defendant, while τιμᾶσθαι is used of the plaintiff in proposing a penalty, and ἀντιτιμᾶσθαι or τιμᾶσθαι of a convicted defendant in proposing a counter-penalty.

5. **ἀπορήσειν τῶν μετὰ ταῦτα**, *that I shall be at a loss* (*for*) *what to say next.*

§ **103.** 1. **γραφὴν κατεσκεύασε κατ' ἐμοῦ** (not ἐγράψατο), i.e. *he trumped up an indictment* which someone else was to bring before the court. The charge of λιποτάξιον was based on the absence of Dem. from the campaign in Boeotia to attend the Dionysia at Athens in the spring of 350 B.C. as χορηγός.

εὐχερῆ, τὸν κονιορτὸν Εὐκτήμονα, ἐάσω. καὶ γὰρ οὔτ' 548
ἀνεκρίνατο ταύτην ὁ συκοφάντης ἐκεῖνος, οὔθ' οὗτος οὐδενὸς
ἕνεκ' αὐτὸν ἐμισθώσατο πλὴν ἵν' ἐκκέοιτο πρὸ τῶν ἐπωνύμων
καὶ πάντες ὁρῷεν "Εὐκτήμων Λουσιεὺς ἐγράψατο Δημο-
σθένην Παιανιέα λιποταξίου·" καί μοι δοκεῖ κἂν προσγρά-
ψασθαι τοῦθ' ἡδέως, εἴ πως ἐνῆν, ὅτι Μειδίου μισθωσαμένου
γέγραπται. ἀλλ' ἐῶ τοῦτο· ἐφ' ᾧ γὰρ ἐκεῖνος ἠτίμωκεν
αὐτὸν οὐκ ἐπεξελθών, οὐδεμιᾶς ἔγωγ' ἔτι προσδέομαι δίκης,
104 ἀλλ' ἱκανὴν ἔχω. ἀλλ' ὃ καὶ δεινόν, ὦ ἄνδρες Ἀθηναῖοι,
καὶ σχέτλιον καὶ κοινὸν ἔμοιγ' ἀσέβημα, οὐκ ἀδίκημα
μόνον, τούτῳ πεπρᾶχθαι δοκεῖ, τοῦτ' ἐρῶ. τῷ γὰρ ἀθλίῳ

4. ἀνεκρίνετο vulg.; ἀν εκρινατο Σ. 6. Δημοσθένην (with later Δημοσθένους above line) Σ. 9. ἐφ' ᾧ Σ γρ.

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3. **εὐχερῆ**, *manageable, easy to be made a tool of*.—**κονιορτὸν**, *a foul, dirty fellow*. The Scholiast explains this very mildly, οἱονεὶ ὁ ῥᾳδίως πειθόμενος· οὕτω γὰρ ἡ κόνις εὐκόλως ὑπὸ τοῦ ἀνέμου ῥιπίζεται! But see Schaefer's excellent note, "vox κονιορτός, quam non a levitate verum a squalore inditam discimus." He quotes the comic poet Anaxandrides, χαίρει τις αὐχμῶν ἢ ῥυπῶν; κονιορτὸς ἀναπέφηνεν. Weil treats the Scholiast with respect.

4. **ἀνεκρίνατο ταύτην** (sc. τὴν γραφήν): the ἀνάκρισις was the preparation of the case for trial, made by the magistrate who was to preside in the court: at this the witnesses were examined and their testimony was put in writing (as μαρτυρίαι) to be read to the court. The magistrate was said ἀνακρίνειν, and the plaintiff who applied to him for an ἀνάκρισις was said ἀνακρίνεσθαι. Euctemon neglected this essential step towards bringing his case to trial, and thus dropped the prosecution. In a public suit the penalty for this was the same as that for not obtaining one-fifth of the votes of the judges, a fine of 1000 drachmas and partial ἀτιμία (note on § 87[6]). See Meier and Schömann, p. 914, and larger ed. of De Corona, p. 331, n. 3.—**συκοφάντης**, properly *a malicious informer* (as here), also *a general blackguard*: note on Cor. 189[1].

5. **ἐκκέοιτο πρὸ τῶν ἐπωνύμων**: the plaintiff was obliged to post a public notice of his suit in the ἀγορά; that of a γραφὴ λιποταξίου before the statues of the ten ἐπώνυμοι τῶν φυλῶν, heroes from whom the tribes were named. Posting such a notice was called ἐκτιθέναι, and the notice was said ἐκκεῖσθαι. (See Meier and Schömann, p. 801.)

7. **κἂν προσγράψασθαι**, *he would even have added to the written notice* (cf. προσδέομαι in 10).

8. **Μειδίου μισθωσαμένου γέγραπται**, *that Midias had hired him to indict me*. γέγραμμαι as perfect of γράφομαι, *indict*, is generally middle; but like ἐγράφην it may be used as passive of both γράφω, *propose* a measure, and γράφομαι, *indict*. See τῶν γεγραμμένων, Cor. 56[4], and δικαίως γεγραμμένα, xxiii. 101. So τὰ γραφέντα, *the proposed measures*, Cor. 86[4]; and οὐδὲ γραφέντα, *not even indicted*, Cor. 222[7].

9. **ἐφ' ᾗ**: sc. δίκῃ, *for the suit in which*.—**ἠτίμωκεν αὐτὸν οὐκ ἐπεξελθών**: by not appearing to prosecute his suit, he is said to have condemned himself to ἀτιμία (cf. note on l. 4).

10. **δίκης**, *satisfaction* for the wrong done me by the indictment, with a play on δίκῃ implied in 9.

§§ **104—125.** (*Attempt to make Demosthenes responsible for the murder of Nicodemus.*)

§ **104.** 2. **κοινὸν ἔμοιγ' ἀσέβημα**, i.e. an act of impiety affecting the whole state, though committed against me.

καὶ ταλαιπώρῳ κακῆς καὶ χαλεπῆς συμβάσης αἰτίας Ἀριστάρχῳ τῷ Μόσχου, τὸ μὲν πρῶτον, ὦ ἄνδρες Ἀθηναῖοι, κατὰ τὴν ἀγορὰν περιιὼν ἀσεβεῖς καὶ δεινοὺς λόγους ἐτόλμα περὶ ἐμοῦ λέγειν, ὡς ἐγὼ τὸ πρᾶγμ' εἰμὶ τοῦτο δεδρακώς· ὡς δ' οὐδὲν ἤννε τούτοις, προσελθὼν τοῖς ἐπ' ἐκεῖνον ἄγουσι τὴν αἰτίαν τοῦ φόνου, τοῖς τοῦ τετελευτηκότος οἰκείοις, χρήμαθ' ὑπισχνεῖτο δώσειν εἰ τοῦ πράγματος αἰτιῷντ' ἐμὲ, καὶ οὔτε θεοὺς οὔθ' ὁσίαν οὔτ' οὐδὲν ἐποιήσατ' ἐμποδὼν τοιούτῳ λόγῳ, οὐδ' ὤκνησεν. ἀλλ' οὐδὲ πρὸς οὓς ἔλεγεν **105** αὐτοὺς ᾐσχύνθη, εἰ τοιοῦτο κακὸν καὶ τηλικοῦτον ἀδίκως ἐπάγει τῳ, ἀλλ' ἕν' ὅρον θέμενος παντὶ τρόπῳ μ' ἀνελεῖν, οὐδὲν ἐλλείπειν ᾤετο δεῖν, ὡς δέον, εἴ τις ὑβρισθεὶς ὑπὸ τούτου δίκης ἀξιοῖ τυχεῖν καὶ μὴ σιωπᾷ, τοῦτον ἐξόριστον ἀνηρῆσθαι καὶ μηδαμῆ παρεθῆναι, ἀλλὰ καὶ λιποταξίου γραφὴν ἠλωκέναι καὶ ἐφ' αἵματι φεύγειν καὶ μόνον οὐ

§ **104.** 11. ἄλλο οὐδὲν F ; οὐδὲν ἄλλο A. 12. τῷ τοιούτῳ F.
§ **105.** 2. τοιοῦτον Σ, O. τηλικοῦτο Σ, P, Y, O. ἀδίκως om. A.

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4. **κακῆς...αἰτίας**, i.e. the charge of murdering Nicodemus. —**Ἀριστάρχῳ**, with temporal *συμβάσης*. This youth is described by Aeschines (i. 171, 172; ii. 148, 166) as the half-witted son of a proud rich widow, whom Demosthenes helped to his ruin. He distinctly charges Dem. (ii. 148) with being accessory, with Aristarchus, to the murder of Nicodemus, who (according to Aesch.) brought the *γραφὴ λιποταξίου* against Demosthenes. The stories of this affair are suspiciously confused. The name of Nicodemus is not mentioned by Demosthenes: he is said by the Scholiast to have been *Εὐβούλου τοῦ πολιτευομένου εἰς τὰ μάλιστα φίλος*. In Aristot. Rhet. ii. 23^3 the name seems to be Nicanor. See note on § 117^6.

8. **ἐπ' ἐκεῖνον**: against Aristarchus.

11. **ὁσίαν**, what *piety* required (a poetic noun). Cf. §§ 126^{10}, 227^9.

§ **105.** 1. **πρὸς οὓς ἔλεγεν αὐτοὺς**: cf. § 104^9.—**αὐτοὺς**, intensive, *even those*.

2. **ᾐσχύνθη εἰ...ἐπάγει τῳ**, *he was not ashamed to bring such calamity* etc. *on any one* (M.T. 495, 697): after a verb of *emotion* the protasis admits the double construction of *or. obl.*, and we might have had *εἰ ἐπάγοι*, as in Xen. Cyr. ii. 2, 3, *ᾐσχθέσθη εἰ δοκοῖεν*. There we have this construction united with that of *αἰσχύνεσθαί τινα, to feel shame before any one*: cf. xix. 267, *οὔτε τὸν ἥλιόν ᾐσχύνοντο*.

3. **ὅρον**, *limit* to his wishes.

4. **ὡς δέον** (acc. absol.), *on the ground that he* (*τοῦτον* in 5) *deserves* (with the infin. in 6—8).

5. **ἐξόριστον ἀνηρῆσθαι**, *to be put out of the way by banishment*, a periphrasis for *ἐξωρίσθαι* (Weil).

6. **λιποταξίου...φεύγειν**, *to find himself convicted* (perf.) *of desertion, and to be on trial for his life*.

7. **μόνον οὐ προσηλῶσθαι**, *all but to find himself nailed to a plank*: this word was later used for crucifixion: see Lexicon. King refers to Arist. Eq. 371, Thesm. 940, and Hdt. vii. 33. Weil, with Ulpian, takes it figuratively, *to be* (as it were) *nailed* to all kinds of judicial processes. The perfects here express completion, the present a state, the aorist (6) mere occurrence.

προσηλῶσθαι. καίτοι ταῦθ' ὅταν ἐξελεγχθῇ ποιῶν πρὸς 549
οἷς ὕβριζέ με χορηγοῦντα, τίνος συγγνώμης ἢ τίνος ἐλέου
106 δικαίως τεύξεται παρ' ὑμῶν; ἐγὼ μὲν γὰρ αὐτὸν, ὦ ἄνδρες
Ἀθηναῖοι, νομίζω αὐτόχειρά μου γεγενῆσθαι τούτοις τοῖς
ἔργοις, καὶ τότε μὲν τοῖς Διονυσίοις τὴν παρασκευὴν καὶ τὸ
σῶμα καὶ τἀναλώμαθ' ὑβρίζειν, νῦν δὲ τούτοις οἷς ἐποίει καὶ
5 διεπράττετο ἐκεῖνά τε καὶ τὰ λοιπὰ πάντα, τὴν πόλιν, τὸ
γένος, τὴν ἐπιτιμίαν, τὰς ἐλπίδας· εἰ γὰρ ἓν ὧν ἐπεβούλευσε
κατώρθωσεν, ἁπάντων ἂν ἀπεστερήμην ἐγὼ καὶ μηδὲ ταφῆ-
ναι προσυπῆρχεν οἴκοι μοι. διὰ τί, ἄνδρες δικασταί; εἰ
γὰρ, ἐάν τις παρὰ πάντας τοὺς νόμους ὑβρισθεὶς ὑπὸ Μειδίου
10 βοηθεῖν αὐτῷ πειρᾶται, ταῦτα καὶ τοιαῦθ' ἕτερ' αὐτῷ παθεῖν
ὑπάρξει, προσκυνεῖν τοὺς ὑβρίζοντας ὥσπερ ἐν τοῖς βαρβά-

8. ἐξελέγχηται F.

§ **106.** 1, 2. νομίζω, ὦ Ἀθηναῖοι, A. 4. ταναλώμαθ' Σ, P, Y; τὰ ἀναλώματα vulg. 7. μηδὲ Σ, vulg.; οὐδὲ A. 8. προσυπῆρξεν A.

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§ **106.** 2. **αὐτόχειρά μου**, virtually *my murderer* (if he had succeeded in his schemes). — **τούτοις τοῖς ἔργοις** refers collectively to all the acts mentioned in 3—6, culminating in the last, **ἓν ὧν ἐπεβούλευσε** (see note on 6).

3. **τότε μὲν τοῖς Διονυσίοις**: here he mentions the costly preparations for the χορηγία, the outrage on which (ὑβρίζειν) is called the first step in the plan to ruin Demosthenes utterly.

4. **νῦν δὲ...διεπράττετο**: this must refer to the attempt to connect him with the murder of Nicodemus; but it is hard to see how this scheme could be termed an outrage against his person or his preparations for the Dionysia, to which ἐκεῖνά τε (sc. ὑβρίζειν) must refer. Even Weil's ingenious explanation of ἐκεῖνά τε καὶ τὰ λοιπὰ πάντα, "équivaut à πρὸς ἐκείνοις (ἃ τότε ὑβρικει) καὶ τὰ λοιπά," with Schaefer's reference to Aeschyl. Suppl. 754, εἰ σοί τε καὶ θεοῖσι ἐχθαιρόιατο, *if the people should incur the Gods' enmity, as they have yours*, leaves the passage obscure in its expression. The unexpressed meaning obviously is, that the old personal outrage at the Dionysia and the later attacks are a part of one and the same scheme for working his ruin. Perhaps ἐκεῖνά τε should be bracketed.

6. **ἐπιτιμίαν** (sc. ὑβρίζειν), i.e. he committed an outrage which aimed at making me ἄτιμος (see next note). — **ἓν ὧν ἐπεβούλευσε** is *the one of his schemes* which was designed to convict Dem. of murder: this would have brought the alternative of death or perpetual exile, with loss of the right of burial in Attica. It would also have brought total confiscation of property. This cannot include the γραφὴ λιποταξίου (§ 103), though conviction here was followed by ἀτιμία (xv. 32); but this ἀτιμία did not include confiscation of property (Andoc. i. 74), and it can hardly have entailed the prohibition of burial at home.

8. **προσυπῆρχεν** (ἄν) **μοι**, *it would further have been my fate*.—**διὰ τί**; *why do I say all this?* The reply is in the form of a statement, instead of a causal sentence with ὅτι.—**εἰ γὰρ...ὑπάρξει** (11) = εἰ γὰρ μέλλει ὑπάρξειν, *if they are to befall*, not the same as ἐὰν ὑπάρχῃ.

11. **ὥσπερ ἐν τοῖς βαρβάροις**, i.e. there men *prostrate themselves* before their tyrants.

ροις, οὐκ ἀμύνεσθαι κράτιστον ἔσται. ἀλλὰ μὴν ὡς ἀληθῆ **107**
λέγω καὶ προσεξείργασται ταῦτα τῷ βδελυρῷ τούτῳ καὶ
ἀναιδεῖ, κάλει μοι καὶ τούτων τοὺς μάρτυρας.

ΜΑΡΤΥΡΕΣ.

[Διονύσιος Ἀφιδναῖος, Ἀντίφιλος Παιανιεὺς διαφθαρέντος
Νικοδήμου τοῦ οἰκείου ἡμῶν βιαίῳ θανάτῳ ὑπὸ Ἀριστάρχου
τοῦ Μόσχου ἐπεξῆμεν τοῦ φόνου τὸν Ἀρίσταρχον. αἰσθόμενος
δὲ ταῦτα Μειδίας, ὁ νῦν κρινόμενος ὑπὸ Δημοσθένους, ᾧ μαρτυροῦ-
μεν, ἔπειθεν ἡμᾶς διδοὺς κέρματα τὸν μὲν Ἀρίσταρχον ἀθῷον
ἀφεῖναι, Δημοσθένει δὲ τὴν γραφὴν τοῦ φόνου παραγράψασθαι.]

550 Λαβὲ δή μοι τὸν περὶ τῶν δώρων νόμον. **108**

Ἐν ὅσῳ δὲ τὸν νόμον, ὦ ἄνδρες Ἀθηναῖοι, λαμβάνει,
βούλομαι μικρὰ πρὸς ὑμᾶς εἰπεῖν, δεηθεὶς ὑμῶν ἁπάντων
πρὸς Διὸς καὶ θεῶν, ὦ ἄνδρες δικασταί· περὶ πάντων ὧν ἂν
ἀκούητε, τοῦθ' ὑποθέντες ἀκούετε τῇ γνώμῃ, τί ἂν, εἴ τις
ἔπασχε ταῦθ' ὑμῶν, ἐποίει, καὶ τίν' ἂν εἶχεν ὀργὴν ὑπὲρ
αὐτοῦ πρὸς τὸν ποιοῦντα. ἐγὼ γὰρ ἐνηνοχὼς χαλεπῶς ἐφ'
οἷς περὶ τὴν λῃτουργίαν ὑβρίσθην, ἔτι πολλῷ χαλεπώτερον,
ὦ ἄνδρες Ἀθηναῖοι, τούτοις τοῖς μετὰ ταῦτα ἐνήνοχα καὶ
μᾶλλον ἠγανάκτηκα. τί γὰρ ὡς ἀληθῶς πέρας ἂν φήσειέ **109**

12. ἀμύνεσθαι Σ; ἀμύνασθαι A, F, vulg. ἐστιν A.

§ **107.** 2. προσεξειργάσθαι P, Y, O; προσεξείργασθαι Σ; προσεξείργασται vulg. 3. καὶ om. F. 4. ΜΑΡΤΥΡΕΣ om. A. 10. τὸν Σ; καὶ τὸν vulg.

§ **108.** 4. ἀκούητε F, Bekk., Blass, Weil, King; ἀκούητέ μου A; ἀκούσητε Σ, vulg. 5. ταῦθ' Σ, A, P, Y, O; τοιαῦθ' F. 8. μεταυτα Σ^1 (corr.). 9. ἠγανάκτησα A.

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§ **107.** 1. **ὡς...προσεξείργασται** depends on the verbal force in *μάρτυρας*.

10. **περὶ τῶν δώρων**, *concerning bribery*.

§ **108.** 1. **ἐν ὅσῳ...λαμβάνει**, *while he* (the clerk) *is finding the law*. Demosth. often introduces remarks in this way before the reading of a document, sometimes in a jocose strain, which appear to be extempore, but are really quite as elaborate as any part of the speech. See Cor. 180, 212, 219—221.

4. **τοῦθ'...γνώμῃ**, *listen with this thought in your minds*.

6. **ἐφ' οἷς ὑβρίσθην** stands for *ἐπ' ἐκείνοις ἃ ὑβρίσθην*: cf. Xen. Hell. vii. 4, 21, χαλεπῶς ἡ πόλις φέρουσα ἐπὶ τῇ πολιορκίᾳ. In 8 *τούτοις* belongs to both *χαλεπώτερον ἐνήνοχα* and *ἠγανάκτηκα*, with either of which the simple dative is natural. See Xen. An. i. 3, 3.

§ **109.** 1—3. **τί γὰρ...καὶ ὕβρεως**; i.e. *what limit can be set to wickedness, and how can shamelessness* etc. *go any further?*

τις εἶναι κακίας καὶ τίν' ὑπερβολὴν ἀναιδείας καὶ ὠμότητος καὶ ὕβρεως, ἄνθρωπος εἰ ποιήσας δεινὰ νὴ Δία καὶ πόλλ' ἀδίκως τινὰ, ἀντὶ τοῦ ταῦτ' ἀναλαμβάνειν καὶ μεταγιγνώσκειν, πολλῷ δεινότερ' ὕστερον ἄλλα προσεξεργάζοιτο, καὶ χρῷτο τῷ πλουτεῖν μὴ ἐπὶ ταῦτ' ἐν οἷς μηδένα βλάπτων αὐτὸς ἄμεινόν τι τῶν ἰδίων θήσεται, ἀλλ' ἐπὶ τἀναντία, ἐν οἷς ἀδίκως ἐκβάλλων τινὰ καὶ προπηλακίσας αὑτὸν εὐδαιμονιεῖ
110 τῆς περιουσίας; ταῦτα τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, πάντα τούτῳ πέπρακται κατ' ἐμοῦ. καὶ γὰρ αἰτίαν ἐπήγαγέ μοι φόνου ψευδῆ καὶ οὐδὲν ἐμοὶ προσήκουσαν, ὡς τὸ πρᾶγμ' αὐτὸ ἐδήλωσε, καὶ γραφὴν λιποταξίου μ' ἐγράψατο τρεῖς αὐτὸς τάξεις λελοιπὼς, καὶ τῶν ἐν Εὐβοίᾳ πραγμάτων (τουτὶ γὰρ αὖ μικροῦ παρῆλθέ μ' εἰπεῖν), ἃ Πλούταρχος ὁ τούτου ξένος καὶ φίλος διεπράξατο, ὡς ἐγὼ αἴτιός εἰμι κατεσκεύαζε πρὸ τοῦ τὸ πρᾶγμα γενέσθαι πᾶσι φανερὸν διὰ Πλουτάρχου
111 γεγονός. καὶ τελευτῶν βουλεύειν μου λαχόντος δοκιμαζο- 551
μένου κατηγόρει, καὶ τὸ πρᾶγμ' εἰς ὑπέρδεινόν μοι περιέστη·

§ **109.** 2. *κακίας ἢ καὶ* F. 4. *τινὰ* om. Σ. 5. *πολλῷ* Σ; *ἔτι πολλῷ* vulg. *ὕστερον* om. F; above line B. 8. *ἐκβάλλων* Σ, Weil; *ἐκβαλών* vulg., late ed. *αὐτὸν εὐδαιμονιεῖ* Σ, A, B.

§ **110.** 5. *τουτὶ* Σ; *τοῦτο* vulg. 6. *αὖ* om. A. 7. *κατεσκεύαζεν* Σ; *κατεσκεύασε* A. 8. *πᾶσι* Σ.

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4. **ἀναλαμβάνειν**, *taking back, recalling.*

6. **ἐπὶ ταῦτ' ἐν οἷς**, *for those purposes in which*, with the relative cause of *purpose* with *μή* and the future.

8. **ἐκβάλλων** (so Σ) is probably conative, referring to the attempt to drive Demosthenes out of Athens (Weil): cf. § 115[7].

9. **τῆς περιουσίας**, *what he has gained by it.*

§ **110.** 4. **γραφὴν μ' ἐγράψατο**: cf. Cor. 251[6].—**τρεῖς τάξεις λελοιπὼς**, i.e. *having committed* λιποτάξιον *three times.*

6. **μικροῦ** (for *μικροῦ δεῖν*), *almost.*—**παρῆλθέ μ'**, *escaped me.*—**ἃ Πλούταρχος ...διεπράξατο**, the whole course of events in Euboea which led to the battle of Tamynae in 350 B.C.: see Appendix II.

7. **ὡς ἐγὼ...κατεσκεύαζε**, *contrived to have me held responsible.*

8. **πρὸ τοῦ γενέσθαι...γεγονός**, *before it became plain to all that the whole business had been done by Plutarchus.*

§ **111.** 1. **βουλεύειν μου λαχόντος**, *when I was made Senator by lot*: cf. *ἔλαχον βουλεύειν*. Demosthenes was Senator in 349—348 B.C., and again in 347—346 (the year of the Peace of Philocrates).—**δοκιμαζομένου κατηγόρει**, *he brought an accusation against me at my* δοκιμασία *for the senatorship.* The out-going Senate held the δοκιμασία of the Senators appointed for the next year. See Arist. Const. Ath. § 45, 3. This was a strict scrutiny of the qualifications of each member: see Lys. xvi. 9, *ἐν δὲ ταῖς δοκιμασίαις* (sc. *δοκεῖ μοι*) *δίκαιον εἶναι παντὸς τοῦ βίου λόγον διδόναι.*

ἀντὶ γὰρ τοῦ δίκην ὑπὲρ ὧν ἐπεπόνθειν λαβεῖν, δοῦναι πραγμάτων ὧν οὐδὲν ἐμοὶ προσῆκε [δίκην] ἐκινδύνευον. καὶ ταῦτα πάσχων ἐγὼ, καὶ τοῦτον τὸν τρόπον ὃν διεξέρχομαι νυνὶ πρὸς ὑμᾶς ἐλαυνόμενος, οὐκ ὢν οὔτε τῶν ἐρημοτάτων οὔτε τῶν ἀπόρων κομιδῇ, οὐκ ἔχω, ὦ ἄνδρες Ἀθηναῖοι, τί χρὴ ποιῆσαι. εἰ γὰρ εἰπεῖν τι καὶ περὶ τούτων ἤδη δεῖ, οὐ **112** μέτεστι τῶν ἴσων οὐδὲ τῶν ὁμοίων, ὦ ἄνδρες Ἀθηναῖοι, πρὸς τοὺς πλουσίους τοῖς λοιποῖς ἡμῶν, οὐ μέτεστιν, οὔ· ἀλλὰ καὶ χρόνοι τούτοις τοῦ τὴν δίκην ὑποσχεῖν, οὓς ἂν αὐτοὶ βούλωνται, δίδονται, καὶ τἀδικήματ' ἔωλα τὰ τούτων ὡς ὑμᾶς καὶ ψύχρ' ἀφικνεῖται, τῶν δ' ἄλλων ἡμῶν ἕκαστος, ἄν τι συμβῇ, πρόσφατος κρίνεται. καὶ μάρτυρές εἰσιν ἕτοιμοι τούτοις καὶ συνήγοροι, πάντες καθ' ἡμῶν εὐτρεπεῖς· ἐμοὶ δ' οὐδὲ τἀληθῆ μαρτυρεῖν ἐθέλοντας ὁρᾶτ' ἐνίους. ταῦτα μὲν **113** οὖν ἀπείποι τις ἄν, οἶμαι, θρηνῶν. τὸν δὲ νόμον μοι λέγ' ἐφεξῆς, ὥσπερ ἠρξάμην. λέγε.

ΝΟΜΟΣ.

[Ἐάν τις Ἀθηναίων λαμβάνῃ παρά τινος, ἢ αὐτὸς διδῷ ἑτέρῳ, ἢ διαφθείρῃ τινὰς ἐπαγγελλόμενος, ἐπὶ βλάβῃ τοῦ δήμου καὶ ἰδίᾳ τινὸς τῶν πολιτῶν, τρόπῳ ἢ μηχανῇ ἡτινιοῦν, ἄτιμος ἔστω καὶ παῖδες καὶ τὰ ἐκείνου.]

§ **111.** 3. *ὑπὲρ ὧν* Σ, P, Y, O; *ὧν* vulg. 4. *δίκην* Σ, P, Y, O; om. vulg. 5. *ὃν διεξέρχομαι τρόπον* Blass (after Arist.). 7. *τι* (or *τί*) Σ, P, O; *ὅ τι* vulg.

§ **112.** 2. *νόμων* Σ, P, Y, O; *ὁμοίων* vulg. 3. *λοιποῖς* Σ; *πολλοῖς* vulg. *ὑμῶν* A. 4. *τοῦ τὴν* Σ, P, O; *τοῦ* vulg. 8. *εὐτρεπεῖς* Σ; *εὐπρεπεῖς* A, F.

§ **113.** 2. *οὖν ἃ* P, Y. 3. *ἠρξάμην λέγων* Σ. 4. ΝΟΜΟΣ om. A.

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6. **ἐλαυνόμενος**, *being hard pressed, driven.*—**τῶν ἐρημοτάτων**, *of the most friendless.*

7. **οὔτε τῶν ἀπόρων κομιδῇ**, *nor exactly of the poor.*—**οὐκ ἔχω τί χρὴ ποιῆσαι**, hardly different from *οὐκ ἔχω τί ποιήσω* (subj.).

§ **112.** 3. **τοῖς λοιποῖς ἡμῶν**, *the rest of us* (ordinary people): cf. *τῶν ἄλλων* (6).

4. **χρόνοι...δίδονται**, i.e. they choose their own time for trial.

5. **ἔωλα**, *hesterna, stale* (left from last night's feast), *τὸ εἰς τὴν ἔω λειπόμενον* (Suid.), with *ψυχρά*, opposed to *πρόσφατος*, *fresh* from our offences (7). See note on *ἐωλοκρασίαν*, Cor. 50[3].

8. **ἐμοὶ δ'...ἐθέλοντας**, *are not even willing to testify to the truth in my behalf.*

§ **113.** 2. **ἀπείποι τις ἄν**, *one might weary himself out*: he says this when he sees the clerk ready to read the law: notice *ταῦτα μὲν...τὸν δὲ νόμον*.

3. **ὥσπερ ἠρξάμην**: Weil thinks this shows that the orator had pronounced the first words of the law for which he called, at the end of § 107.

114 Οὕτω τοίνυν οὗτός ἐστιν ἀσεβὴς καὶ μιαρὸς καὶ πᾶν ἂν ὑποστὰς εἰπεῖν καὶ πρᾶξαι, εἰ δ' ἀληθὲς ἢ ψεῦδος ἢ πρὸς ἐχθρὸν ἢ φίλον ἢ τὰ τοιαῦτα, ἀλλ' οὐδ' ὁτιοῦν διορίζων, ὥστ' ἐπαιτιασάμενός με φόνου καὶ τοιοῦτο πρᾶγμ' ἐπαγαγὼν 552
5 εἴασε μέν μ' εἰσιτήρι' ὑπὲρ τῆς βουλῆς ἱεροποιῆσαι καὶ θῦσαι καὶ κατάρξασθαι τῶν ἱερῶν ὑπὲρ ὑμῶν καὶ ὅλης τῆς
115 πόλεως, εἴασε δ' ἀρχιθεωροῦντ' ἀγαγεῖν τῷ Διὶ τῷ Νεμείῳ τὴν κοινὴν ὑπὲρ τῆς πόλεως θεωρίαν, περιεῖδε δὲ ταῖς σεμναῖς θεαῖς ἱεροποιὸν αἱρεθέντ' ἐξ Ἀθηναίων ἁπάντων τρίτον αὐτὸν καὶ καταρξάμενον τῶν ἱερῶν. ἆρ' ἄν, εἴ γ' εἶχε στιγμὴν ἢ
5 σκιὰν τούτων ὧν κατεσκεύαζε κατ' ἐμοῦ, ταῦτ' ἂν εἴασεν;

§ **114.** 1. *ἐστι ἀσεβης* Σ; *ἐστιν ἀσεβὴς ἄνθρωπος* vulg. 2. *διαπρᾶξαι* P, Y, O. *εἰ δ' ἀληθὲς* (with *τ'* over *δ'*) Σ. 4. *επάγ* (followed by blot over erasure), probably *ἐπάγων* (accent late) Σ; *ἐπαγαγὼν* vulg. 5. *εἰσητήρια* (with *ϊ* over first *η*) Σ. 6. *ἡμῶν* O.

§ **115.** 3. *ἀναρρηθέντα* P. 5. *κατεσκεύαζεν* Σ; *κατεσκεύασε* A (cf. § 110[7]).

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§ **114.** 1. **πᾶν ἂν ὑποστὰς** (=*ὃς πᾶν ἂν ὑποσταίη*) and *διορίζων* (3) are coordinate with the preceding adjectives.

3. **ἢ τὰ τοιαῦτα**, *or similar questions.* —**ἀλλ' οὐδ' ὁτιοῦν διορίζων**, *nay,—not distinguishing even in the slightest degree.* In *ἀλλ' οὐδέ*, *ἀλλ'* is emphatic, but hardly translatable. See Shilleto's note on xix. 37, *ὑπὲρ δὲ Φωκέων...ἀλλ' οὐδὲ μικρὸν.* He quotes xxvii. 24, [xxv.] 5, and Arist. Nub. 1396, *λάβοιμεν ἄν ἀλλ' οὐδ' ἐρεβίνθου.* He gives Spalding's explanation of our passage, non modo parum, *sed* ne minimum quidem. In all these *ἀλλ'* expresses opposition to something implied, which is less strong than what follows, e.g. *not only nothing moderate, but nothing at all.* But it is hardly possible that any such ellipsis was generally in mind when *ἀλλ' οὐδέ* was used (M. T. 513).

4. **ἐπαιτιασάμενός με φόνου**, *after he had charged me with murder* (§ 104).—**πρᾶγμ' ἐπαγαγὼν**: cf. § 116[1, 2].

5. **εἰσιτήρι' ὑπὲρ τῆς βουλῆς ἱεροποιῆσαι**, *to make the sacrifices celebrating the entrance of the new Senate into office.* Ulpian says: *εἰσιτήρια δὲ ἐγίγνετο μελλούσης εἰσιέναι τῆς βουλῆς εἰς τὸ βουλευτήριον*, and Suidas, *ταύτην δὲ τὴν ἡμέραν πρώτην τοῦ ἔτους Ἀθηναῖοι νενομίκασι.* See Shilleto on xix. 190, *εἰσιτήρια ἔθυσε.* The sacrifice was made in the sanctuary of *Ζεὺς βουλαῖος* and *Ἀθηνᾶ βουλαία.* See Antiphon vi. 45.

6. **κατάρξασθαι τῶν ἱερῶν**, to begin the ceremonies by consecrating the victim to be sacrificed, the duty of the chief official,—lit. *to begin on the victims.* See Arist. Av. 959, *μὴ κατάρξῃ τοῦ τράγου, don't begin on the goat*, forbidding the sacrifice; and *κατάρχομαι* in the Lexicon.

§ **115.** 1. **ἀρχιθεωροῦντ'** (sc. *ἐμέ*), *as ἀρχιθεωρός*, the leader of the *θεωρία* sent to one of the great festivals, here to the Nemea. The *ἀρχιθεωρία* was one of the *λητουργίαι ἐγκύκλιοι*: see Appendix IV. 5.

2. **περιεῖδε αἱρεθέντ'** (sc. *ἐμέ*), *he allowed me to be chosen*: for the aor. part. with *περιορῶ*, etc. see M.T. 148.—**ταῖς σεμναῖς θεαῖς**, *the Awful Goddesses*, the Eumenides, whose sanctuary was the cave (still to be seen) beneath the Areopagus. See Aeschyl. Eum. 1036, *γᾶς ὑπὸ κεύθεσιν ὠγυγίοισιν*, with 1003—1009.

3. **τρίτον αὐτὸν**, *with two others.*

4. **καταρξάμενον** (see § 114[6]).

5. **ταῦτ' ἂν εἴασεν**: for *ἄν* repeated see M.T. 223.

ἐγὼ μὲν οὐκ οἶμαι. οὐκοῦν ἐξελέγχεται τούτοις ἐναργῶς ὕβρει ζητῶν μ' ἐκβάλλειν ἐκ τῆς πατρίδος.

Ἐπειδὴ τοίνυν τοῦτο τὸ πρᾶγμ' οὐδὲ καθ' ἓν πανταχῇ **116** στρέφων οἷός τ' ἦν ἀγαγεῖν ἐπ' ἐμέ, φανερῶς ἤδη δι' ἐμὲ τὸν Ἀρίσταρχον ἐσυκοφάντει. καὶ τὰ μὲν ἄλλα σιωπῶ· τῆς δὲ βουλῆς περὶ τούτων καθημένης καὶ σκοπουμένης, παρελθὼν οὗτος "ἀγνοεῖτ'," ἔφη, "ὦ βουλή, τὸ πρᾶγμα; καὶ τὸν αὐτόχειρ' ἔχοντες" λέγων τὸν Ἀρίσταρχον "μέλλετε καὶ ζητεῖτε καὶ τετύφωσθε; οὐκ ἀποκτενεῖτε; οὐκ ἐπὶ τὴν οἰκίαν βαδιεῖσθε; οὐχὶ συλλήψεσθε;" καὶ ταῦτ' ἔλεγεν ἡ μιαρὰ **117** καὶ ἀναιδὴς αὕτη κεφαλὴ ἐξεληλυθὼς τῇ προτεραίᾳ παρ' Ἀριστάρχου, καὶ χρώμενος ὥσπερ ἂν ἄλλος τις αὐτῷ τὰ πρὸ τούτου, καὶ, ὅτ' εὐτύχει, πλεῖστα παρεσχηκότος ἐκείνου

7. ἐκβάλλειν Σ, F, Y, O; ἐκβαλεῖν vulg.

§ **116.** 2. δι' ἐμὲ Y, O; δι' ἐμοῦ Σ, Bekk., Dind. 5. τὸ πρᾶγμα, ὦ βουλή A, F. 7. τετύφωσθαι (ε over αι) Σ. καὶ οὐκ ἀποκτενεῖτε; P, Y, O. 8. συλλήμψεσθε (μ struck out) Σ.

§ **117.** 3. αὐτῷ vulg.; om. Σ, Y, O. 4. ηὐτύχει A. ἐκείνου Σ; πάντων τούτου Σ γρ.; πάντων ἐκείνου vulg.

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7. **ὕβρει**, out of mere *wanton insolence*.

§ **116.** 1. **οὐδὲ καθ' ἓν**, stronger than *καθ' οὐδέν*, which loses the emphasis of *οὐδὲ ἕν, ne unum quidem*.—**πανταχῇ στρέφων**, *by all his twists and turns*.

2. **δι' ἐμὲ**, *with a view to me, to get at me*. See Weil. In this sense we can hardly have *δι' ἐμοῦ* (Σ), as there is no idea of agency. The use of *δι' ὧν* in Cor. 33^6 and *δι' οὗς* in 35^2, both referring to *λόγοι*, will hardly justify *δι' ἐμοῦ* here.

4. **τῆς βουλῆς... σκοπουμένης**: the simple *βουλῆς* would naturally refer to the Senate of 500, though the Areopagus dealt with cases of murder. But the language quoted in lines 5—8 would hardly have been permitted before the Areopagus, and the case could not have come before that body until Aristarchus had been arrested. Perhaps the spurious document in § 121 may preserve the right tradition when it calls the process *εἰσαγγελία*, which would come in the first instance before the Senate of 500.

7. **τετύφωσθε**: see note on Cor. 11^4. If Harpocration rightly connects *τυφῶ* with *Τυφῶν* or *Τυφώς*, *τετύφωμαι* will mean *I am distracted* or *crazed*. Lidd. and Sc. derive it from *τῦφος*, *mist* or *smoke*, so that *τετύφωμαι* would mean *I am stupefied* or *befogged*.—We have an intentional *ὕστερον πρότερον* in *ἀποκτενεῖτε; ...συλλήψεσθε;* The Senate of 500 could not condemn a man to death, being restricted to a fine of 500 drachmas. But it could send him for trial to a court, which might inflict any penalty, even death. The question of Midias means, "Will you not have him put to death? If you will, send to his house and arrest him."

§ **117.** 2. **κεφαλὴ ἐξεληλυθώς**: *πρὸς τὸ σημαινόμενον*.

3. **χρώμενος**: imperf. with *τὰ πρὸ τούτου*.—**ὥσπερ ἄν**: sc. *ἐχρῆτο*.

4. **πλεῖστα...ἀπαλλαγῶν**, *A. having pestered me a great deal about settling up my suit against Midias*. For *reconciliation* *διαλλαγαί* is the common term; but no *settlement* of this case could properly be thus termed. Here we have *ἀπαλλαγῶν* in Σ and P, though *γρ.* Σ has *διαλλαγῶν*; but in § 151^3 all MSS. have *παραινοῦντες ἀπαλλαγῆναι*, in which again there seems to be the idea of *getting rid* of the suit rather than that of reconciliation. See *ἀπαλλάσσω* (end) in the Lexicon.

πράγματά μοι περὶ τῶν πρὸς τοῦτον ἀπαλλαγῶν. εἰ μὲν
οὖν εἰργάσθαι τι τούτων ἐφ' οἷς ἀπόλωλεν ἡγούμενος τὸν
Ἀρίσταρχον καὶ πεπιστευκὼς τοῖς τῶν αἰτιασαμένων λόγοις
118 ταῦτ' ἔλεγε, χρῆν μὲν οὐδ' οὕτως· μετρία γὰρ δίκη παρὰ 553
τῶν φίλων ἐστὶν, ἄν τι δοκῶσι πεποιηκέναι δεινὸν, μηκέτι
τῆς λοιπῆς φιλίας κοινωνεῖν, τὸ δὲ τιμωρεῖσθαι καὶ ἐπεξιέναι
τοῖς πεπονθόσι καὶ τοῖς ἐχθροῖς παραλείπεται· ὅμως δ' ἔστω
τούτῳ γε συγγνώμη. εἰ δὲ λαλῶν μὲν καὶ ὁμωρόφιος
γιγνόμενος ὡς οὐδὲν εἰργασμένῳ φανήσεται, λέγων δὲ καὶ
καταιτιώμενος ταῦθ' ἕνεκα τοῦ συκοφαντεῖν ἐμὲ, πῶς οὐ
119 δεκάκις, μᾶλλον δὲ μυριάκις δίκαιός ἐστ' ἀπολωλέναι; ἀλλὰ
μὴν ὡς ἀληθῆ λέγω, καὶ τῇ μὲν προτεραίᾳ ὅτε ταῦτ' ἔλεγεν,
εἰσεληλύθει καὶ διείλεκτ' ἐκείνῳ, τῇ δ' ὑστεραίᾳ πάλιν (τοῦτο
γὰρ, τοῦτο οὐκ ἔχον ἐστὶν ὑπερβολὴν ἀκαθαρσίας, ἄνδρες

5. ἀπαλλαγῶν Σ, P; διαλλαγῶν Σ γρ., vulg. 6. εἰργάσθαι vulg.; εἰργάσται Σ; εἴργασται Y, O.

§ **118.** 4. παραλείπεται Σ, P, Y, O; ὑπολείπεται A; καταλείπεται vulg. 5. λαλῶν Σ, F, A^1, P (by corr.), O (mg.); ἄλλων Y, O^1. 6. γιγνόμενος Σ, vulg.; γενόμενος A. εἰργασμένων Y, O.

§ **119.** 2. μὲν om. Σ, P, F, Y, O. 3. πάλιν αὖ A. 4. ἔχων A.

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6. **ἀπόλωλεν**: Aristarchus was exiled: see Aesch. i. 172. There is a strange reference to this affair in Arist. Rhet. ii. 23^3 (if Νικάνορα is a mistake for Νικόδημον): καὶ οἷον ἡ περὶ Δημοσθένους δίκη καὶ τῶν ἀποκτεινάντων Νικάνορα· ἐπεὶ γὰρ δικαίως ἐκρίθησαν ἀποκτεῖναι, δικαίως ἔδοξεν ἀποθανεῖν. This is quoted by Dion. Hal. in Ep. ad Amm. i. 12. See Cope's note on the passage of Aristotle, and Weil's on Demosthenes.

8. **χρῆν οὐδ' οὕτως**, i.e. *not even in the case supposed* (οὕτως) *ought he to have acted thus* (referring to his speech in the Senate).

§ **118.** 1. **μετρία δίκη** ... **ἐστὶν**, *moderate is the justice* (*penalty*) which can be exacted *from friends*.

4. **τοῖς πεπονθόσι**, *the victims* of the crime.—**ἔστω τούτῳ γε συγγνώμη**, *let us have consideration for a man like this* (τούτῳ γε).

5. **λαλῶν**, *chatting* (familiarly): opposed to λέγων (6). Cf. Soph. O.T. 238, of the treatment due to homicides. The clause εἰ δὲ λαλῶν...συκοφαντεῖν ἐμὲ (5—7) is opposed to εἰ μὲν οὖν...ταῦτ' ἔλεγε (§ 117^5). The meaning is, that if he made his speech in the Senate (§ 116) in the belief that Aristarchus was really guilty, he did wrong, but we may perhaps pardon him; but if he treated A. familiarly as an innocent man, and then told these stories (ταῦθ': cf. § 104) about him merely to criminate Demosth. (as his accessary), he deserves no mercy.

8. **δεκάκις** ... **μυριάκις ἀπολωλέναι**: Dem. often suggests many deaths (here 10 or 10,000) as no more than a man's deserts: cf. xix. 110 (end).

§ **119.** 2. The whole passage from ὡς to τὰς διαλύσεις (11) is summed up in τούτων (11).—**τῇ προτεραίᾳ ὅτε ταῦτ' ἔλεγεν** (sc. τῆς ἡμέρας before ὅτε) *on the day before he told these stories*: see the full form in Plat. Crit. 44 A, τῇ ὑστεραίᾳ δεῖ με ἀποθνῄσκειν ἢ ᾗ ἂν ἔλθῃ τὸ πλοῖον. See Il. xxi. 80, ἠὼς δέ μοί ἐστιν ἤδε δυωδεκάτη ὅτ' ἐς Ἴλιον εἰλήλουθα. For the probable ellipsis of τῆς ἡμέρας, see Buttmann's note.

4. **οὐκ ἔχον ὑπερβολὴν ἀκαθαρσίας**, *not admitting of anything exceeding it in vileness*. **ἔχον ἐστὶν**, *is possessed of*, is more emphatic than ἔχει.

Ἀθηναῖοι) εἰσελθὼν οἰκαδ' ὡς ἐκεῖνον καὶ ἐφεξῆς οὑτωσὶ καθιζόμενος, τὴν δεξιὰν ἐμβαλὼν, παρόντων πολλῶν, μετὰ τοὺς ἐν τῇ βουλῇ τούτους λόγους, ἐν οἷς αὐτόχειρα καὶ τὰ δεινότατ' εἰρήκει τὸν Ἀρίσταρχον, ὤμνυε μὲν κατ' ἐξωλείας μηδὲν εἰρηκέναι περὶ αὐτοῦ φαῦλον, καὶ οὐδὲν ἐφρόντιζεν ἐπιορκῶν, καὶ ταῦτα παρόντων τῶν συνειδότων, ἠξίου δὲ καὶ πρὸς ἔμ' αὐτῷ δι' ἐκείνου γίγνεσθαι τὰς διαλύσεις, τούτων τοὺς παρόντας ὑμῖν καλῶ μάρτυρας.

ΜΑΡΤΥΡΙΑ.

Καίτοι πῶς οὐ δεινὸν, ὦ ἄνδρες Ἀθηναῖοι, μᾶλλον δ' **120** ἀσεβὲς, λέγειν ὡς φονεὺς, καὶ πάλιν ὡς οὐκ εἴρηκε ταῦτ' ἀπομνύναι, καὶ φόνον μὲν ὀνειδίζειν, τούτῳ δ' ὁμωρόφιον γίγνεσθαι; κἂν μὲν ἀφῶ τοῦτον ἐγὼ καὶ προδῶ τὴν ὑμετέραν καταχειροτονίαν, οὐδὲν, ὡς ἔοικ', ἀδικῶ· ἂν δ' ἐπεξίω, λέλοιπα τὴν τάξιν, φόνου κοινωνῶ, δεῖ μ' ἀνηρ- 554 πάσθαι. ἐγὼ δ' αὐτὸ τοὐναντίον οἶμαι, εἰ τοῦτον ἀφῆκα, λελοιπέναι μὲν, ὦ ἄνδρες Ἀθηναῖοι, τὴν τοῦ δικαίου τάξιν,

6. καθεζόμενος A, F. 9. κατ' αὐτοῦ A. φαῦλον Σ, P, Y, O; φλαῦρον vulg. 11. τούτων Σ; καὶ τούτων vulg.

§ **120.** 2. εἴρηκεν Σ. 5. ἔοικ' Σ; ἔοικεν vulg. ἐὰν A. 7. αὐτὸ Σ; αὖ vulg.

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5. **ἐφεξῆς οὑτωσὶ καθιζόμενος**, *sitting so very close to him*, probably accompanied by a gesture implying closeness: tam prope ut vulgo solent maxime familiares sibi assidere (Reiske).

7. **τοὺς...τούτους λόγους**: this order is allowed when an adjective or other qualifying word comes between the article and the demonstrative (G. 975): cf. § 117[1, 2].—**αὐτόχειρα** and **τὰ δεινότατα** are both remote objects of *εἰρήκει*, but in somewhat different constructions.

8. **ὤμνυε κατ' ἐξωλείας**, i.e. *he swore, imprecating utter destruction* on himself if he swore falsely: cf. xxiii. 67, *διομεῖται κατ' ἐξωλείας αὐτοῦ καὶ γένους καὶ οἰκίας*, and see note on Cor. 324[4].

9. **οὐδὲν ἐφρόντιζεν ἐπιορκῶν**, *he thought nothing of his perjury.*

11. **τὰς διαλύσεις**: the ἀπαλλαγαί of § 117[5], as Midias called it.—**τούτων**: see note on line 2.

12. **τοὺς παρόντας**, imperf. = οἳ παρῆσαν, often used of witnesses.

§ **120.** 2. **ὡς φονεὺς**: sc. *ἐστί τις.*

3. **φόνον ὀνειδίζειν** (sc. *τινί*), *to reproach a man with murder*: cognate accus., *φόνον* being the *ὄνειδος.*

4. **προδῶ ... καταχειροτονίαν**, *prove false to your vote condemning Midias* (on the *προβολή*).

5. **οὐδὲν ἀδικῶ**, i.e. I shall hear no more of the charges against me (cf. 6).

6. **ἀνηρπάσθαι**, *to be (have been) put out of the way* or *exterminated.*

7. **αὐτὸ τοὐναντίον**, adverbial: cf. xxii. 5.

8. **λελοιπέναι ... τάξιν**, *that I have deserted my post* (not in battle, but) *in defence of justice*: cf. iii. 36, *παραχωρεῖν τῆς τάξεως κ.τ.λ.*, and Cor. 173[4] (with note). λελοιπέναι (without ἄν) follows the thought of ἀδικῶ (5) and λέλοιπα (6);

φόνου δ' ἂν εἰκότως ἐμαυτῷ λαχεῖν· οὐ γὰρ ἦν μοι δήπου
121 βιωτὸν τοῦτο ποιήσαντι. ὅτι τοίνυν καὶ ταῦτ' ἀληθῆ λέγω,
κάλει μοι καὶ τούτων τοὺς μάρτυρας.

ΜΑΡΤΥΡΙΑ.

[Λυσίμαχος Ἀλωπεκῆθεν, Δημέας Σουνιεὺς, Χάρης Θορίκιος, Φιλήμων Σφήττιος, Μόσχος Παιανιεὺς, καθ' οὓς καιροὺς ἡ εἰσαγγελία ἐδόθη εἰς τὴν βουλὴν ὑπὲρ Ἀριστάρχου τοῦ Μόσχου, ὅτι εἴη Νικόδημον ἀπεκτονώς, οἴδαμεν Μειδίαν τὸν κρινόμενον ὑπὸ Δημοσθένους, ᾧ μαρτυροῦμεν, ἐλθόντα πρὸς τὴν βουλὴν καὶ λέγοντα μηδένα ἕτερον εἶναι τὸν Νικοδήμου φονέα, ἀλλ' Ἀρίσταρχον, καὶ τοῦτον αὐτοῦ γεγονέναι αὐτόχειρα, καὶ συμβουλεύοντα τῇ βουλῇ βαδίζειν ἐπὶ τὴν οἰκίαν τὴν Ἀριστάρχου καὶ συλλαμβάνειν αὐτόν. ταῦτα δ' ἐλεγε πρὸς τὴν βουλὴν τῇ προτεραίᾳ μετ' Ἀριστάρχου καὶ μεθ' ἡμῶν συνδεδειπνηκώς. οἴδαμεν δὲ καὶ Μειδίαν, ὡς ἀπῆλθεν ἀπὸ τῆς βουλῆς τούτους τοὺς λόγους εἰρηκὼς, εἰσεληλυθότα πάλιν ὡς Ἀρίσταρχον καὶ τὴν δεξιὰν ἐμβεβληκοτα καὶ ὀμνύοντα κατ' ἐξωλείας μηδὲν κατ' αὐτοῦ πρὸς τὴν βουλὴν εἰρηκέναι φαῦλον, καὶ ἀξιοῦντα Ἀρίσταρχον ὅπως ἂν διαλλάξῃ αὐτῷ Δημοσθένην.]

122 Τίς οὖν ὑπερβολή; τίς ὁμοία τῇ τούτου γέγονεν ἢ γένοιτ' ἂν πονηρία; ὃς ἄνδρ' ἀτυχοῦντα, οὐδὲν αὐτὸν ἠδικηκότα (ἐῶ γὰρ εἰ φίλον), ἅμα συκοφαντεῖν ᾤετο δεῖν καὶ πρὸς ἐμὲ αὐτὸν

§ **122.** 2. οὐδὲν αυτὸν Σ. 3. εμὲ αυτον Σ.

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though, as apodosis of εἰ ἀφῆκα, it might have taken ἄν. There is a suppressed thought, *it would have been said*, with the simple λελοιπέναι, like *it will be said* with ἀδικῶ and λέλοιπα. In 9, φόνου ἄν λαχεῖν = φόνου ἂν ἔλαχον (sc. γραφήν), *that I might as well have indicted myself for murder*, depends simply on οἶμαι. He gives his ground for this in the following οὐ γὰρ...ποιήσαντι, *for life would not have been worth living for me if I had done this* (i.e. εἰ τοῦτον ἀφῆκα). Οὐ βιωτόν ἐστιν is *life is not worth living* (see Plat. Rep. 445 A, δοκεῖ οὐ βιωτὸν εἶναι); and οὐ βιωτὸν ἦν is often used like ἔδει and χρῆν without ἄν (M. T. 416), meaning *life would not be* (or *would not have been*) *worth living*. Cf. § 131[9].

§ **122.** 1. **τίς οὖν ὑπερβολή**; *what then can go beyond this?* (cf. § 119[4]).

2, 3. **αὐτὸν...αὐτὸν**: most editors read αὐτὸν in 2 and ἔμ' αὐτὸν in 3. The personal and the reflexive pronoun are sometimes thus interchanged, as in Xen. Mem. iv. 7, 1, ἁπλῶς τὴν ἑαυτοῦ γνώμην ἀπεφαίνετο Σωκράτης πρὸς τοὺς ὁμιλοῦντας αὐτῷ, where αὐτῷ is perhaps more natural from its loose connection with the subject. The opposite is the case here; and there is (so far as I know) no good MS. authority for the interchange. Σ has αυτὸν in 2, and αυτον in 3. Bekker reads αὐτὸν in both places, and I follow him, as the reflexive is certainly correct in both. The possible confusion with ἐμαυτόν is less likely when we read ἐμὲ with Σ. αὐτὸν (3) is object of διαλύειν.

διαλύειν ἠξίου, καὶ ταῦτ' ἔπραττε καὶ χρήματ' ἀνήλισκεν ἐπὶ τῷ μετ' ἐκείνου κἀμὲ προσεκβαλεῖν ἀδίκως.

Τοῦτο μέντοι τὸ τοιοῦτον ἔθος καὶ τὸ κατασκεύασμ', ὦ **123** ἄνδρες Ἀθηναῖοι, τὸ τοῖς ὑπὲρ αὐτῶν ἐπεξιοῦσι δικαίως ἔτι πλείω περιιστάναι κακὰ, οὐκ ἐμοὶ μὲν ἄξιόν ἐστ' ἀγανακτεῖν καὶ βαρέως φέρειν, ὑμῖν δὲ τοῖς ἄλλοις παριδεῖν, πολλοῦ γε καὶ δεῖ· ἀλλὰ πᾶσιν ὁμοίως ὀργιστέον, ἐκλογιζομένοις καὶ θεωροῦσιν ὅτι τοῦ μὲν, ὦ ἄνδρες Ἀθηναῖοι, ῥᾳδίως κακῶς παθεῖν ἐγγύταθ' ὑμῶν εἰσιν οἱ πενέστατοι καὶ ἀσθενέστατοι, τοῦ δ' ὑβρίσαι καὶ τοῦ ποιήσαντας μὴ δοῦναι δίκην, ἀλλὰ τοὺς ἀντιπαρέξοντας πράγματα μισθώσασθαι, οἱ βδελυροὶ καὶ χρήματ' ἔχοντες. οὐ δὴ δεῖ παρορᾶν τὰ τοιαῦτα, οὐδὲ **124** τὸν ἐξείργοντα δέει καὶ φόβῳ τὸ δίκην ὧν ἂν ἡμῶν ἀδικηθῇ τις λαμβάνειν παρ' αὐτοῦ ἄλλο τι χρὴ νομίζειν ποιεῖν ἢ τὰς τῆς ἰσηγορίας καὶ τὰς τῆς ἐλευθερίας ἡμῶν μετουσίας ἀφαιρεῖσθαι. ἐγὼ μὲν γὰρ ἴσως διεωσάμην, καὶ ἄλλος τις ἂν,

§ **123.** 1. ὦ δικασταὶ A. 5. ἐγλογιζομένοις (κ over first γ) Σ. 7. παθεῖν Σ, vulg.; πάλιν A, F γρ. ὑμῶν Σ, A, P, Y, Blass; ἡμῶν vulg., Dind., Weil. 9. βδελλυροὶ Σ. 10. after ἔχοντες the MSS. have εἰσὶν ἐγγυτάτω (τωι Σ): cf. 7; om. Reiske.

§ **124.** 1. παρορῶντα A. 4. εισηγορίας (ῖ over ει) Σ. ὑμῶν A. 5. διεσωσάμην Σ.

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5. **ἐπὶ τῷ...προσεκβαλεῖν**, *with a view to banishing me as well as him*: **μετ' ἐκείνου, καὶ** in **κἀμὲ**, and **προσ-** all emphasize the chief idea, that the whole persecution of Aristarchus had Demosthenes for its chief object.

§ **123.** 1—3. He calls it *a habit and contrivance* of Midias to bring more and more calamities upon those who proceed against him in the just defence of their rights.

3, 4. **οὐκ ἐμοὶ μὲν...ὑμῖν δὲ**: the common rhetorical figure, in which *οὐκ* negatives both the following clauses. See § 61[1], with note, and Cor. 13[10].

4. **παριδεῖν**: cf. **παρορᾶν**, § 124[1].

6. **τοῦ...κακῶς παθεῖν**, after **ἐγγύταθ'**, *most exposed to*, which is understood with **τοῦ ὑβρίσαι...μισθώσασθαι** in the sense of *most given to*.—**ῥᾳδίως**, i.e. *at every one's pleasure*.

8. **ποιήσαντας**: i.e. **ὑβρίσαντας**.

9. (**τοῦ**) **τοὺς...μισθώσασθαι**, *hiring men who will make trouble* (to their accusers) *in return*.—Supply **ὑμῶν** (from 7) with **οἱ...ἔχοντες**: after this the MSS. have an obvious gloss (from 7), **εἰσὶν ἐγγυτάτω** (Σ **-τῳ**), which Reiske expunged.

§ **124.** 2. **τὸν ἐξείργοντα**, *a man who would prevent*, with **τὸ...λαμβάνειν** as object.—**δέει καὶ φόβῳ** seems to be used by the orators merely for rhetorical amplification, like **πράττειν καὶ ποιεῖν**, Cor. 62[4] (see note): see xxiii. 103, *φόβον καὶ δέος*. Cf. the remark of Socrates in Plat. Prot. 358 D, **προσδοκίαν τινὰ λέγω κακοῦ τοῦτο, εἴτε φόβον εἴτε δέος καλεῖτε**. Protagoras and Hippias assent to this definition; but Prodicus thinks it is good for *δέος* but not for *φόβος*.

3. **παρ' αὐτοῦ** (sc. **τοῦ ἐξείργοντος**), with **δίκην λαμβάνειν**.—**τὰς...μετουσίας**: cf. **μέτεστιν ἡμῖν τῆς ἰσηγορίας**.

5. **ἄλλος τις ἂν**: sc. **διεώσατο**.

ψευδῆ λόγον καὶ συκοφαντίαν, καὶ οὐκ ἀνήρπασμαι· οἱ δὲ πολλοὶ τί ποιήσετε, ἂν μὴ δημοσίᾳ πᾶσι φοβερὸν καταστήσητε τὸ εἰς ταῦτα ἀποχρῆσθαι τῷ πλουτεῖν; δόντα λόγον καὶ ὑποσχόντα κρίσιν περὶ ὧν ἄν τις ἐγκαλῇ, τότ' ἀμύνεσθαι τοὺς ἀδίκως ἐφ' αὑτὸν ἐλθόντας χρὴ, καὶ τότ', ἂν ἀδικοῦνθ' ὁρᾷ τις, οὐ προαναρπάζειν, οὐδ' ἐπάγοντ' αἰτίας ψευδεῖς ἄκριτον ζητεῖν ἀποφεύγειν, οὐδ' ἐπὶ τῷ διδόναι δίκην ἀσχάλλειν, ἀλλὰ μὴ ποιεῖν ἐξ ἀρχῆς ἀσελγὲς μηδέν.

126 Ὅσα μὲν τοίνυν εἴς τε τὴν λητουργίαν καὶ τὸ σῶμ' ὑβρίσθην, καὶ πάντ' ἐπιβουλευόμενος τρόπον καὶ πάσχων κακῶς ἐκπέφευγα, ἀκηκόατ', ὦ ἄνδρες Ἀθηναῖοι· καὶ παραλείπω δὲ πολλὰ, οὐ γὰρ ἴσως ῥᾴδιον πάντ' εἰπεῖν. ἔχει δ' οὕτως. οὐκ ἔσθ' ἑφ' ὅτῳ τῶν πεπραγμένων ἐγὼ μόνος ἠδίκημαι, ἀλλ' ἐπὶ μὲν τοῖς εἰς τὸν χορὸν γεγενημένοις ἀδικήμασιν ἡ φυλὴ, τὸ δέκατον μέρος ὑμῶν, συνηδίκηται, ἐπὶ δ' οἷς ἔμ' ὕβρισε καὶ ἐπεβούλευσεν οἱ νόμοι, δι' οὓς εἷς ἕκαστος ὑμῶν σῶς ἐστίν· ἐφ' ἅπασι δὲ τούτοις ὁ θεὸς, ᾧ χορηγὸς ἐγὼ καθειστήκειν, καὶ τὸ τῆς ὁσίας, ὁτιδήποτ' ἐστὶ, 556

7. φοβερὸν πᾶσι A ; πᾶσι φανερὸν P, O.

§ **125.** 2. ἐγκαλέσῃ A. ἀμύνασθαι A. 3. ἐπ' αὐτὸν A. ἀδικοῦντα Σ, Y, O; ἀδικοῦνταs vulg.; ἀδικοῦντα φωράσῃs Weil (conj.).

§ **126.** 1. ἵστε for εἴς τε A. 2. καὶ ὡς (or ὅσα) πάντ' Herwerden (conj.). 5. οὐκ ἔσται A. 7. τὸ om. Σ. 8. εἷς om. A.

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6. **ἀνήρπασμαι**: cf. 120[6].

8. **ἀποχρῆσθαι**, *to misuse*, abuti.

§ **125.** 1. **δόντα λόγον**: sc. τινά, to which αὐτὸν (3) refers. This begins the answer to τί ποιήσετε; (§ 124[7]), and the meaning is, that before a citizen attempts to defend himself against those who accuse him unjustly, he should offer to render a full account of all matters about which he may be accused (even unjustly): and then, if any one sees anything wrong in his actions, he must not try to put this accuser out of the way before the trial (προ-αναρπάζειν), nor try to escape without a trial by bringing false charges against him ; nor must he be worried about submitting to justice, but he must rather abstain from committing outrages in the beginning.

2. **τότ' ἀμύνεσθαι**, *then* (i.e. *not before*) *should he undertake his own defence.*

(*c*) §§ **126, 127.** *General Conclusion* to V. 1. See p. 46.

§ **126.** 1. **ὅσα** is cognate object of ὑβρίσθην and ἐκπέφευγα (3): ὅσα ἐκπέφευγα is *how many escapes I had.*

3. **καὶ** is *also*, δὲ being the conjunction: see Madvig, Synt. 185, A, Anm. 2.

7. **ὑμῶν**: the court is often addressed as the sovereign people: see Cor. 13[1], where προσελθεῖν τῷ δήμῳ is *appearing before the court.* The address ὦ ἄνδρες Ἀθηναῖοι is as common in court as in the Assembly.

10. **τὸ τῆς ὁσίας...δαιμόνιον**, *the august and divine power of Holiness*: see § 104[11].—**ὁτιδήποτ' ἐστὶ**, *whatever*

τὸ σεμνὸν καὶ τὸ δαιμόνιον [συνηδίκηται]. δεῖ δὴ τούς γε **127**
βουλομένους ὀρθῶς τὴν κατ' ἀξίαν τῶν πεπραγμένων παρὰ
τούτου δίκην λαβεῖν οὐχ ὡς ὑπὲρ ἐμοῦ ὄντος μόνον τοῦ λόγου
τὴν ὀργὴν ἔχειν, ἀλλ' ὡς ἐν ταὐτῷ τῶν νόμων, τοῦ θεοῦ, τῆς
πόλεως, ὁμοῦ πάντων ἠδικημένων, οὕτω ποιεῖσθαι τὴν τιμω- 5
ρίαν, καὶ τοὺς βοηθοῦντας καὶ τοὺς συνεξεταζομένους μετὰ
τούτου μὴ συνηγόρους μόνον, ἀλλὰ καὶ δοκιμαστὰς τῶν
τούτῳ πεπραγμένων ὑπολαμβάνειν εἶναι.

<23. Πολλὰ μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, καὶ περὶ ὧν
τοὺς ἄλλους ἠδίκηκεν ἔχω λέγειν, ὥσπερ εἶπον ἐν ἀρχῇ τοῦ λόγου,

11. [, συνηδίκηται] Blass.

§ **127.** 3. τὴν δίκην Σ. λαμβάνειν A. ὑπὲρ ἐμοῦ μόνον ὄντος A. 5. ὁμοῦ A; ἐμοῦ Σ and vulg. 6. second τοὺς om. F. 8. ὑπολαμβάνειν A.

<§ **23.**> 2. ἐν ἀρχῇ εἶπον Y, O.

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may be its nature, is very far from being depreciatory. In the most solemn invocation of the supreme Deity, Aeschylus has (Agam. 160) :—

> Ζεύς, ὅστις ποτ' ἐστίν, εἰ τόδ' αὐ-
> τῷ φίλον κεκλημένῳ,
> τοῦτό νιν προσεννέπω.

Weil quotes Soph. Antig. 456, 457; Pericles quoted by [Lysias], vi. 10; and Eur. Bacch. 370 Ὅσια, πότνα θεῶν, κ.τ.λ. See § 227[9] and note.

§ **127.** 3. **οὐχ ὡς...τὴν ὀργὴν ἔχειν**, i.e. *not to let his wrath be limited by the thought that I am the only one concerned.* ὀργὴν is the estimate of the penalty deserved by Midias : see Aesch. iii. 197 (end), τὸ τρίτον ὕδωρ ἐγχεῖται τῇ τιμήσει καὶ τῷ μεγέθει τῆς ὀργῆς τῆς ὑμετέρας.

4. **ἐν ταὐτῷ**, *all at once.*

5. **οὕτω** sums up the preceding ὡς... ἠδικημένων.

6. **τοὺς βοηθοῦντας**, *his supporters* in the trial.—**τοὺς συνεξεταζομένους μετὰ τούτου**, *those who are arrayed on his side* (as in a battle). Demosth. is very fond of ἐξέτασις, in a military sense, *mustering of forces* or *arraying supporters*, as in Cor. 320[9] (with ἐν τάξει in the next clause), and of ἐξετάζομαι, *to be counted in* with any party or *to be arrayed* in support of any cause, as in Cor. 173[4,5], λέγων καὶ γράφων ἐξεταζόμην τὰ δέοντα. (See notes on these passages.)

7. **μὴ συνηγόρους μόνον**, *not mere advocates* (counsel in court), who are supposed to make merely a legal defence. —**δοκιμαστὰς**, *approvers, out and out supporters.* δοκιμάζω *is to test a person's claim to anything*, especially that of a candidate for office (at Athens) or for enrolment as a citizen : δοκιμάζω also means *to approve* such a candidate on investigation, opposed to ἀποδοκιμάζω, *to reject* him. The whole process was called δοκιμασία. A person thus approved was said to be δοκιμασθείς. See Aesch. iii. 15. Δοκιμαστής has a similar double sense, that of *scrutineer* and that of *approver* : here it means *one who approves* the acts of Midias after testing them.

2. Outrages of Midias against others (§§ **128—142**). See p. 46.

<§ **23.**> This has no meaning where it stands in the MSS., and it can hardly have been written except as an introduction to the following passage (§§ 128—142). Περὶ ὧν τοὺς ἄλλους ἠδίκηκεν is a useless repetition directly after ἔπειθ' ὅσ' ὑμεῖς in § 21[3], and it is absurd to suppose a reference to §§ 19—21 in ὥσπερ εἶπον ἐν ἀρχῇ τοῦ λόγου; whereas the whole passage is perfectly natural before § 128.

καὶ συνείλοχ' ὕβρεις αὐτοῦ καὶ ἀτιμίας τοσαύτας ὅσας ἀκούσεσθ' αὐτίκα δὴ μάλα. ἦν δ' ἡ συλλογὴ ῥᾳδία· αὐτοὶ γὰρ οἱ πεπονθότες προσῆσάν μοι.>

128 Εἰ μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, σώφρονα καὶ μέτριον πρὸς τἄλλα παρεσχηκὼς αὐτὸν Μειδίας καὶ μηδένα τῶν ἄλλων πολιτῶν ἠδικηκὼς εἰς ἔμ' ἀσελγὴς μόνον οὕτω καὶ βίαιος ἐγεγόνει, πρῶτον μὲν ἔγωγ' ἀτύχημ' ἂν ἐμαυτοῦ τοῦθ' ἡγούμην, ἔπειτ' ἐφοβούμην ἂν μὴ τὸν ἄλλον ἑαυτοῦ βίον οὗτος μέτριον δεικνύων καὶ φιλάνθρωπον διακρούσηται τούτῳ **129** τὸ δίκην ὧν ἔμ' ὕβρικε δοῦναι. νυνὶ δὲ τοσαῦτ' ἐστὶ τἄλλ' ἃ πολλοὺς ὑμῶν ἠδίκηκε, καὶ τοιαῦθ' ὥστε τούτου μὲν τοῦ δέους ἀπήλλαγμαι, φοβοῦμαι δὲ πάλιν τοὐναντίον μή, ἐπειδὰν πολλὰ καὶ δεῖν' ἑτέρους ἀκούηθ' ὑπ' αὐτοῦ πεπονθότας, 557 τοιοῦτός τις ὑμῖν λογισμὸς ἐμπέσῃ "τί οὖν; σὺ δεινότερ' ἢ τῶν ἄλλων εἷς ἕκαστος πεπονθὼς ἀγανακτεῖς;" πάντα μὲν δὴ τὰ τούτῳ πεπραγμένα οὔτ' ἂν ἐγὼ δυναίμην πρὸς ὑμᾶς εἰπεῖν, οὔτ' ἂν ὑμεῖς ὑπομείναιτ' ἀκούειν, οὐδ' εἰ τὸ παρ'

3. συνείλεχα F. ἀτιμίας Σ, P, O; πονηρίας vulg.; πονηρίας αὐτοῦ A. 5. προσήεσαν Σ.

§ **128.** 3. μηδὲν ἠδικηκὼς A, F. ἀσελγὴς μόνον Σ, A; μόνον ἀσελγὴς vulg. 5. ἑαυτοῦ Σ, vulg.; αυτοῦ Σ γρ. 6. δεικνύων μέτριον Σ γρ. 6, 7. διακρούσηται...δοῦναι Σ, P, Y, O; with different order A, F; οὕτω for τούτῳ Σ γρ.

§ **129.** 1. ἐστὶν Σ, A; ἐστὶ δὴ F. τἄλλα Σ; om. A. 4. ἀκούσητε F. 5. τί οὖν om. Σ^1. δεινότερα ἢ MSS.; τί οὖν; σὺ δεινότερ' ἢ Blass; τί οὖν σὺ δεινότερον Dind. (from schol.). 7. ἔγωγε F. πρὸς αὐτοὺς B. 8. ὑπομείναιτ' F (acc. to Dind.); ὑπομενεῖτ' A, P, Y, O; ὑπομει τ' Σ^1 (with ᵛε=ναι over space).

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3. **ἀτιμίας**, *dishonours* (inflicted): cf. τὰς ὕβρεις καὶ τὰς ἀτιμίας, Cor. 205[10].

5. **προσῆσάν μοι**, i.e. came to tell me of their wrongs.

§ **128.** 6. **μέτριον**: sc. ὄντα.—**δεικνύων**, *by showing*.—**διακρούσηται**, *evade* (*drive from himself*).

§ **129.** 8. **οὐδ' εἰ τὸ...ὕδωρ ὑπάρξειε** (sc. μοι) **πρὸς τὸ λοιπὸν**, *not even if I were to be allowed for the remainder of my argument all the water which we could both give*. The law prescribed the amount of water to be poured into the clepsydra for the arguments in most law-suits, according to the importance of the case. The highest amount is mentioned by Aeschines as allowed in the γραφὴ παραπρεσβείας. He says (ii. 126), πρὸς ἕνδεκα ἀμφορέας ἐν διαμεμετρημένῃ τῇ ἡμέρᾳ κρίνομαι, which is generally thought to mean *I am on trial with eleven ἀμφορεῖς of water allotted to me*. It is thus understood by Meier and Schömann, p. 928, and I have followed them in my note on Cor. 139[10]. But Kenyon, in the Classical Review for Oct. 1904, p. 338, notices that, if 11 ἀμφορεῖς of water were allowed for one speech which could not exceed four hours, one ἀμφορεύς would give a speaker only about 22 minutes; and this is the measure allowed each claimant in cases of inheritance in the Archon's court, with one quarter as much (3 χόες) for his second argument. See xliii. 8, ἐξ ἀνάγκης ἦν τῷ

ἀμφοτέρων ἡμῶν ὕδωρ ὑπάρξειε πρὸς τὸ λοιπόν, πᾶν τό τ' ἐμὸν καὶ τὸ τούτου προστεθέν· οὐκ ἂν ἐξαρκέσειεν. ἃ δ' ἐστὶ μέγιστα καὶ φανερώτατα, ταῦτ' ἐρῶ. μᾶλλον δ' ἐκεῖνο **130** ποιήσω· ἀναγνώσομαι μὲν ὑμῖν, ὡς ἐμαυτῷ γέγραμμαι, πάντα τὰ ὑπομνήματα, λέξω δ' ὅ τι ἂν πρῶτον ἀκούειν βουλομένοις ὑμῖν ᾖ, τοῦτο πρῶτον, εἶθ' ἕτερον, καὶ τἄλλα τὸν αὐτὸν τρόπον, ἕως ἂν ἀκούειν βούλησθε. ἔστι δὲ ταῦτα παντοδαπά, καὶ ὕβρεις πολλαὶ καὶ περὶ τοὺς οἰκείους κακουργήματα καὶ περὶ τοὺς θεοὺς ἀσεβήματα, καὶ τόπος οὐδεὶς ἐστιν ἐν ᾧ τοῦτον οὐ θανάτου πεποιηκότ' ἄξια πόλλ' εὑρήσετε.

ΥΠΟΜΝΗΜΑΤΑ ΤΩΝ ΜΕΙΔΙΟΥ ΑΔΙΚΗΜΑΤΩΝ.

Ὅσα μὲν τοίνυν, ὦ ἄνδρες δικασταί, τὸν ἀεὶ προστυχόντ' **131** αὐτῷ πεποίηκε, ταῦτ' ἐστίν. καὶ παραλέλοιφ' ἕτερα· οὐ γὰρ ἂν δύναιτ' οὐδεὶς εἰσάπαξ εἰπεῖν ἃ πολὺν χρόνον οὗτος

9. ὑμῶν ὕδωρ Σ.

§ **130.** 3. ἂν om. A. 4. τοῦτο om. F. 10. Title om. A.

§ **131.** 1. δικασταὶ Σ, P; Ἀθηναῖοι vulg. 2. παραλέλοιφ' Σ; παραλέλοιπα A. 3. ἅπαξ, with εἰσ above line, Σ.

ἄρχοντι ἀμφορέα ἑκάστῳ ἐγχέαι τῶν ἀμφισβητούντων, καὶ τρεῖς χόας τῷ ὑστέρῳ λόγῳ. Kenyon refers the 11 ἀμφορεῖς of Aeschines to the whole day of about 9½ hours, which would give each speaker in inheritance cases 51 minutes for his first argument, and about 13 minutes for his second. The words ἐν διαμεμετρημένῃ are thus explained by Aeschines, iii. 197: εἰς τρία μέρη διαιρεῖται ἡ ἡμέρα ὅταν εἰσίῃ γραφὴ παρανόμων εἰς τὸ δικαστήριον. ἐγχεῖται γὰρ τὸ μὲν πρῶτον ὕδωρ τῷ κατηγόρῳ καὶ τοῖς νόμοις καὶ τῇ δημοκρατίᾳ, τὸ δὲ δεύτερον ὕδωρ τῷ τὴν γραφὴν φεύγοντι καὶ τοῖς εἰς αὐτὸ τὸ πρᾶγμα λέγουσιν, ἐπειδὰν δὲ τῇ πρώτῃ ψήφῳ μὴ λυθῇ τὸ παράνομον, ἤδη τὸ τρίτον ὕδωρ ἐγχεῖται τῇ τιμήσει καὶ τῷ μεγέθει τῆς ὀργῆς τῆς ὑμετέρας. The speech of Demosthenes as accuser of Aeschines on the γραφὴ παραπρεσβείας (xix.) is the longest we have; the defence of Aeschines is shorter, as he called on advocates, who occupied a part of his time.

9. **πᾶν...προστεθέν**, emphatic repetition of τὸ...ὕδωρ (8, 9).

10. **οὐκ ἂν ἐξαρκέσειεν** is an independent sentence; otherwise we should have an impossible οὐδ'...οὐκ.

§ **130.** 3. **τὰ ὑπομνήματα**, *my memoranda.*—**ὅ τι...ὑμῖν ᾖ**: cf. Tac. Agric. 18, quibus bellum volentibus erat.

4. **τοῦτο πρῶτον, εἶθ' ἕτερον**: a common rhetorical artifice, of which it was not expected that the court would take advantage. In xxiii. 18, 19 the orator makes the same offer with much more formality, but he makes the selection himself: περὶ τοῦ παρανόμου βούλεσθε πρῶτον; τοῦτο τοίνυν ἐροῦμεν.

7. **τόπος οὐδείς**, *no spot on earth*: the Scholia explain this strangely: οὐδὲν ἐπιχείρημα οὐδὲ ἀφορμή τις ἀδικίας ἐστίν, ἢ κακίας εἶδος.

§ **131.** 1. **τὸν ἀεὶ προστυχόντ' αὐτῷ**, *any one who ever chanced to come in his way.*

ὑβρίζων συνεχῶς ἅπαντα τὸν βίον εἴργασται. ἄξιον δ' ἰδεῖν ἐφ' ὅσον φρονήματος ἤδη προελήλυθε τῷ τούτων δίκην μηδενὸς δεδωκέναι. οὐ γὰρ ἡγεῖθ', ὡς ἐμοὶ δοκεῖ, λαμπρὸν οὐδὲ νεανικὸν οὐδ' ἄξιον θανάτου ὅ τι ἄν τις πρὸς ἕν' εἰς διαπράττηται, ἀλλ' εἰ μὴ φυλὴν ὅλην καὶ βουλὴν καὶ ἔθνος προπηλακιεῖ καὶ πολλοὺς ἁθρόους ὑμῶν ἅμ' ἐλᾷ, ἀβίωτον
132 ᾠεῖτ' ἔσεσθαι τὸν βίον αὐτῷ. καὶ τὰ μὲν ἄλλα σιωπῶ, μυρί' 558
εἰπεῖν ἔχων, περὶ δὲ τῶν συστρατευσαμένων ἱππέων εἰς Ἄργουραν ἴστε δήπου πάντες οἳ ἐδημηγόρησε παρ' ὑμῖν, ὅθ' ἥκεν ἐκ Χαλκίδος, κατηγορῶν καὶ φάσκων ὄνειδος ἐξελθεῖν τὴν στρατιὰν ταύτην τῇ πόλει· καὶ τὴν λοιδορίαν ἣν ἐλοιδορήθη Κρατίνῳ περὶ τούτων, τῷ νῦν, ὡς ἐγὼ πυνθάνομαι, μέλλοντι βοηθεῖν αὐτῷ, μέμνησθε. τὸν δὴ τοσούτοις ἁθρόοις τῶν πολιτῶν ἔχθραν ἐπ' οὐδενὶ τηλικαύτην ἀράμενον πόσῃ πονηρίᾳ καὶ θρασύτητι ταῦτα χρὴ νομίζειν

6. ἡγεῖ θ' (with erasure) Σ. 7. θανάτου MSS.; ἑαυτοῦ Buttm. 9. αθρόους Σ. 10. αὐτῷ Σ; ἑαυτῷ vulg.

§ **132.** 2. ἂν ἔχων εἰπεῖν A, F. 6. ἣν om. F. τῶνῦν above the line Σ. 8. ἀιράμενον Σ.

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5. **ἐφ' ὅσον φρονήματος**, *to what a height of insolence* (φρόνημα in a bad sense).

6. **λαμπρὸν ... θανάτου**, *brilliant or dashing or deserving death*: this implies that M. does not deign to commit an outrage which is not grand and heinous enough to deserve death, as if this were his standard (cf. § 130[8]). Buttmann emended *θανάτου* to *ἑαυτοῦ*, and he is followed by Weil.

7. **ὅ τι ἄν τις ... διαπράττηται**, *which any one* (*τις*) *man commits upon another*. Cobet reads *ὅ τι ἂν εἷς πρὸς ἕνα*.

8. **φυλὴν ὅλην καὶ βουλὴν καὶ ἔθνος**: i.e. insulting Demosth. as *χορηγὸς* of his *tribe*, the *Senate* by his speech (§ 116), *τετύφωσθε;* and the Knights in the speech about to be mentioned (§ 132[2]). *ἔθνος* has its peculiar use, referring to a *class* of citizens, here the Knights: see xxiii. 146, *εἴ τις ὑμᾶς ἔροιτο τί πονηρότατον νομίζετε τῶν ἐν τῇ πόλει πάντων ἐθνῶν, οὔτε τοὺς γεωργοὺς οὔτε τοὺς ἐμπόρους...ἂν εἴποιτε,* with Plat. Rep. iv. 428 E, *τῷ σμικροτάτῳ ἔθνει καὶ μέρει ἑαυτῆς* (i.e. *τῆς πόλεως*).

9. **ἐλᾷ**, *torment*.—**ἀβίωτον ἔσεσθαι**: cf. *οὐ γὰρ ἦν βιωτὸν*, § 120[9].

§ **132.** 2. **τῶν...εἰς Ἄργουραν**: after Athens had decided to send an army to Euboea in 350 B.C., a large body of cavalry (among them Midias) was sent to Argura, while the rest of the force (among them Demosthenes) went to Tamynae. Phocion was very careless in allowing his soldiers to leave the camps and even to return to Athens, feeling little anxiety about the campaign; and a large part of the cavalry with Midias then went back to Athens. Some of the cavalry probably then went directly from Euboea to Olynthus. See Plut. Phocion 12: cf. Aeschin. iii. 86. See below, §§ 162, 164, 197.

4. **ὅθ' ἥκεν ἐκ Χαλκίδος**: i.e. on his return home from Argura.—**ὄνειδος** (sc. *οὖσαν*): cf. § 133[1, 2].

7. **βοηθεῖν αὐτῷ**, probably as *συνήγορος* in the trial.

πράττειν; καίτοι πότερ' εἰσὶν ὄνειδος, ὦ Μειδία, τῇ πόλει **133**
οἱ διαβάντες ἐν τάξει καὶ τὴν σκευὴν ἔχοντες ἣν προσῆκε
τοὺς ἐπὶ τοὺς πολεμίους ἐξιόντας καὶ συμβαλουμένους τοῖς
συμμάχοις, ἢ σὺ ὁ μηδὲ λαχεῖν εὐχόμενος τῶν ἐξιόντων ὅτ'
ἐκληροῦ, τὸν θώρακα δ' οὐδεπώποτ' ἐνδὺς, ἐπ' ἀστράβης δὲ 5
ὀχούμενος ἀργυρᾶς τῆς ἐξ Εὐβοίας, χλανίδας δὲ καὶ κυμβία
καὶ κάδους ἔχων, ὧν ἐπελαμβάνοντ' οἱ πεντηκοστολόγοι;
ταῦτα γὰρ εἰς τοὺς ὁπλίτας ἡμᾶς ἀπηγγέλλετο· οὐ γὰρ
εἰς ταὐτὸν ἡμεῖς τούτοις διέβημεν. εἶτα, εἴ σ' ἐπὶ τούτοις **134**
ἔσκωψεν Ἀρχετίων ἤ τις ἄλλος, πάντας ἤλαυνες; εἰ μὲν

§ **133.** §§ 133 and 134 through ἤλαυνες (2) obelized in Σ; § 133 in F, B. 4. μη with δε above Σ. 6. αργυρᾶς τῆς εξ Ευβοιας Σ; ἀργούρας τῆς ἐξ Εὐβοίας Y; ἐξ Ἀργούρας τῆς Εὐβοίας (ἡ δημώδης) A, F. δὲ καὶ om. A. κυμβεῖα A. 8. ἐπηγγέλλετο A. 9. ταὐτὸ Σ, P, Y; ταὐτὸν vulg.

§ **134.** 1. εἶτα, εἰ σ' Σ, vulg.; εἶτα εἰς Σ γρ. 2. ἔσκωψεν Σ γρ., vulg.; εισκώψομεν Σ. εἴ τις F.

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§ **133.** 2. **τὴν σκευὴν ἣν προσῆκε**, opposed to the large amount which Midias carried over to Euboea (6, 7).

3. **συμβαλουμένους**, to join the allies in Euboea.

4. **ὁ μηδὲ...ἐξιόντων**, *you, who prayed that you might not even be drawn as one of those who were to march forth.*—**ὅτ' ἐκληροῦ**: the lot decided which divisions of the cavalry should be sent to Euboea.

5. **ἐπ' ἀστράβης...Εὐβοίας**, *riding on a saddle with silver trappings, which came from Euboea.* The reading of the text (Σ) is undoubtedly correct; the δημώδης (ἔκδοσις) of A^1 and F–B has the corrupt ἐξ Ἀργούρας τῆς Εὐβοίας, which assumes that ἀστράβη means *mule.* In Y, which Usener (Unser Platon Text, pp. 188, 189) calls the best representative of a purer vulgar text, not yet revised and emended by grammarians, ἀργυρᾶς has become Ἀργούρας, but the corruption is not finished by putting ἐξ before it. The Scholia explain ἀστράβη as a high-backed lady's saddle, which it was a reproach to a man to use: he explains the word by παρὰ τὸ μὴ στροβεῖσθαι μηδὲ στρέφεσθαι, and adds τὸ γὰρ ἠργυρῶσθαι τὴν κάθεδραν δεῖγμα ἦν τοῦ ἐπιτηδεύοντος καὶ ἐντρυφῶντος τούτῳ τῷ εἴδει. The saddle must have been imported from Euboea.

6. **χλανίδας**, *woollen cloaks*, called by the Schol. Μιλησίας, effeminate garments.—**κυμβία καὶ κάδους**, *drinking cups and wine jars*, which with the silvered saddle and woollen cloaks were not a natural part of a cavalry officer's equipment, and so were seized by the officers of the customs, either on leaving Attica or on landing in Euboea. The πεντηκοστολόγοι were the collectors of the πεντηκοστή, a duty of two per cent. on all imports and exports at Athens. The Scholia say of them, τὰ μὲν πολεμικὰ σκεύη οὐκ ἐτελώνουν, ὅσα δ' ἦν εἰρηνικὰ καὶ πρὸς τρυφὴν συντελοῦντα κατεῖχον. The story of this trouble of Midias was reported to Demosthenes when he was serving with the infantry in Euboea.

8. **οὐ γὰρ...διέβημεν**: as this refers to different *landing-places* of the cavalry and the infantry in Euboea, it may indicate that the Euboean custom-house is meant in line 7.

§ **134.** 1. **εἶτα, εἴ σ'...ἔσκωψεν**: with some hesitation I have adopted the reading of Σ, merely substituting the vulgate ἔσκωψεν for the impossible εἰσκώψομεν, in which it is hard to find εἰ σ' ἔσκωψεν. The reading εἶτ', εἰς ἐπὶ τούτοις εἴ σ' ἔσκωψεν, adopted by Blass, leaves εἰς in an awkward position.

γὰρ ἐποίεις ταῦτ', ὦ Μειδία, ἃ σέ φασιν οἱ συνιππεῖς καὶ κατηγόρεις ὡς λέγοιεν περὶ σοῦ, δικαίως κακῶς ἤκουες· καὶ γὰρ ἐκείνους καὶ τουτουσὶ καὶ ὅλην τὴν πόλιν ἠδίκεις καὶ κατῄσχυνες. εἰ δὲ μὴ ποιοῦντός σου κατεσκευάζόν τινες καταψευδόμενοί σου, οἱ δὲ λοιποὶ τῶν στρατιωτῶν οὐκ ἐκείνοις ἐπετίμων ἀλλὰ σοὶ ἐπέχαιρον, δῆλον ὅτι ἐκ τῶν ἄλλων ὧν ἔζης ἄξιος αὐτοῖς ἐδόκεις εἶναι τοῦ τοιαῦτ' ἀκούειν· 559
σαυτὸν οὖν μετριώτερον ἐχρῆν παρέχειν, οὐκ ἐκείνους διά-
135 βάλλειν. σὺ δ' ἀπειλεῖς πᾶσιν, ἐλαύνεις πάντας· τοὺς ἄλλους ἀξιοῖς ὅ τι σὺ βούλει σκοπεῖν, οὐκ αὐτὸς σκοπεῖς ὅ τι μὴ λυπήσεις τοὺς ἄλλους ποιῶν. καὶ τὸ δὴ σχετλιώτατον καὶ μέγιστον ἔμοιγε δοκοῦν ὕβρεως εἶναι σημεῖον· τοσούτων ἀνθρώπων, ὦ μιαρὰ κεφαλή, σὺ παρελθὼν ἁθρόων κατηγόρεις, ὃ τίς οὐκ ἂν ἔφριξε ποιῆσαι τῶν ἄλλων;

136 Τοῖς μὲν τοίνυν ἄλλοις ἅπασιν ἀνθρώποις ὁρῶ τοῖς κρινομένοις, ὦ ἄνδρες δικασταί, ἓν μὲν ἢ δύ' ὄντα τἀδικήμαθ' ἃ κατηγορεῖται, λόγους δ' ἀφθόνους τοιούτους ὑπάρχοντας "τίς ὑμῶν ἐμοί τι σύνοιδε τοιοῦτον; τίς ὑμῶν ἐμὲ ταῦθ' ἑόρακε ποιοῦντα; οὐκ ἔστιν, ἀλλ' οὗτοι δι' ἔχθραν καταψεύδονταί μου, καταψευδομαρτυροῦμαι," τὰ τοιαύτα·

4. καὶ κακῶς O. 8. ἐπεχείρουν Σ; ἐπέχαιρον Σ γρ., vulg. 9. τὰ τοιαῦτα A.
§ **135**. 2, 3. ὅ τι (twice) corr. from τι Σ. 6. κατηγορεῖς F. ἔφριξεν Σ. τῶν ἄλλων ποιῆσαι A.
§ **136**. 1. ἀνθρώποις om. A, Blass. 3. κατηγορεῖται Σ, A; κατηγοροῦνται F, vulg. 4. τοιοῦτον P, Y, O; τοιοῦτο Σ (ν erased?). 5. ἑόρακε O; ἑώρακε Σ, vulg.

3, 4. **ἃ κατηγόρεις ὡς λέγοιεν**, *which you charged them with telling*.—**δικαίως κακῶς ἤκουες**, *you deserved to be ill spoken of*: with *κακῶς ἀκούειν*, male audire, cf. Milton, "For when Britain hears ill abroad."

5. **ἐκείνους** are the *συνιππεῖς*, and *τουτουσὶ* are the judges.

6. **κατεσκεύαζον**, *trumped up* their stories.

8. **σοὶ ἐπέχαιρον**, *rejoiced over you* (i.e. at your misfortunes).—**ἐκ τῶν ἄλλων ὧν ἔζης**, *from the rest of your life, your general character*: cf. Cor. 130^2, 265^1.

§ **135**. 1. **ἐλαύνεις**: cf. ἐλᾷ, § 131^9.

2. **οὐκ αὐτὸς...ποιῶν**, *you do not yourself consider what you must do* (*so as*) *not to annoy others*: consecutive rel. clause with *μή* (M. T. 576): *ὅ τι* (3) is object of *ποιῶν*.

3, 4. **τὸ δὴ...σημεῖον**: an independent clause, explained by the following question, *τοσούτων...ποιῆσαι τῶν ἄλλων;*

§ **136**. 1. **τοῖς ἄλλοις...κρινομένοις**, possessive dative, *they have one or two offences charged*.

6. **καταψευδομαρτυροῦμαι**, *I am attacked by false testimony*: cf. Isae. v. 9, καταψευδομαρτυρηθέντες ἀπωλέσαμεν τὰ ὄντα, and Plat. Gorg. 472 A, ἐνίοτε γὰρ

τούτῳ δ' αὖ τἀναντία τούτων. πάντας γὰρ ὑμᾶς εἰδέναι **137**
νομίζω τὸν τρόπον καὶ τὴν ἀσέλγειαν καὶ τὴν ὑπερηφανίαν
τοῦ βίου, καὶ πάλαι θαυμάζειν ἐνίους οἶομαι ὧν αὐτοὶ μὲν
ἴσασιν, οὐκ ἀκηκόασι δὲ νῦν ἐμοῦ. πολλοὺς δὲ τῶν πε-
πονθότων οὐδὲ πάνθ' ὅσ' ἠδίκηνται μαρτυρεῖν ἐθέλοντας
ὁρῶ, τὴν βίαν καὶ τὴν φιλοπραγμοσύνην ὁρῶντας τὴν
τούτου καὶ τὴν ἀφορμήν, ἥπερ ἰσχυρὸν ποιεῖ καὶ φοβερὸν
τὸν κατάπτυστον τουτονί. τὸ γὰρ ἐπ' ἐξουσίας καὶ πλούτου **138**
πονηρὸν εἶναι καὶ ὑβριστὴν τεῖχός ἐστι πρὸς τὸ μηδὲν ἂν
αὐτὸν ἐξ ἐπιδρομῆς παθεῖν, ἐπεὶ περιαιρεθεὶς οὗτος τὰ ὄντα
ἴσως μὲν οὐκ ἂν ὑβρίζοι, εἰ δ' ἄρα, ἐλάττονος ἄξιος ἔσται
τοῦ μικροτάτου παρ' ὑμῖν· μάτην γὰρ λοιδορήσεται καὶ
560 βοήσεται, δίκην δ', ἂν ἀσελγαίνῃ τι, τοῖς ἄλλοις ἡμῖν ἐξ
ἴσου δώσει. νῦν δ', οἶμαι, τούτου προβέβληται Πολύ- **139**
ευκτος, Τιμοκράτης, Εὐκτήμων ὁ κονιορτός· τοιοῦτοί τινές

§ **137.** 2. τὸν τρόπον τὸν τούτου F. καὶ τὴν ἀσέλγειαν om. F. 3. τὴν τοῦ F. οἶμαι A. 6. δεδιότας (for ὁρῶντας) A. 7. καὶ φοβερὸν ποιεῖ A, F. 8. τοῦτον P, Y, O.

§ **138.** 2. πονηρὸν vulg.; θρασὺν A. ἐστιν Σ. ἂν om. A.

§ **139.** 1. προβέβληται A, F. Πολύευκτος Σ marg. (later).

ἂν καὶ καταψευδομαρτυρηθείη τις. There seems to be no ground for the meaning commonly given to the word, *I am borne down by false testimony*. See xxix. 6, οὐ καταψευδομαρτυρησάμενος, *having used no false testimony against them*. The active occurs in Xen. Apol. 24, καταψευδομαρτυρεῖν ἐμοῦ, *to use false testimony against me*. See the Lexicon.—**τὰ τοιαῦτα** (without καί), *such things as these* (cf. § 114[3]).

7. **τούτῳ δὲ**: correlative of τοῖς μὲν ἄλλοις (1).

§ **137.** 3. **πάλαι θαυμάζειν ἐνίους**, *that some have long been amazed*.

4. **οὐκ...ἐμοῦ**: the chief force is in these words, i.e. they are surprised at *my omission* of what has long been familiar to them.

6. **φιλοπραγμοσύνην**: a φιλοπράγμων is *a busybody* (cf. § 141[6]).

7. **τὴν ἀφορμήν**, *his resources, what he has to start with*: cf. § 98[7, 10].

§ **138.** 1. **ἐπ' ἐξουσίας καὶ πλούτου**, i.e. *relying on his power and wealth*.

2. **πρὸς τὸ μηδὲν ἂν...παθεῖν** (with the idea of οὐδὲν ἂν πάθοι), i.e. *as a security that he could himself suffer nothing from a sudden attack*: the rare articular infinitive with ἄν is hardly translatable.

4. **εἰ δ' ἄρα**, *but if after all*, sc. he should go on with his outrages.

5. **τοῦ μικροτάτου παρ' ὑμῖν**, *than the smallest man among you*.

6. **τοῖς ἄλλοις ἡμῖν** depends on ἐξ ἴσου, *equally with the rest of us*.

§ **139.** 1. **τούτου προβέβληται**, *stands (has put himself) before him as a protector*. προβάλλομαι in Cor. 97[8], 195[11], means *hold before oneself for protection*, like a shield, and προυβαλόμην in Cor. 300[2], 301[3], means *put before oneself* (or *one's country*) *for protection*.

2. **Τιμοκράτης**: against whom Demosth. wrote his speech, xxiv. For Euctemon see § 103[3] (above).

εἰσι μισθοφόροι περὶ αὐτόν· καὶ πρὸς ἔθ' ἕτεροι τούτοις, μαρτύρων συνεστῶσ' ἑταιρεία, φανερῶς μὲν οὐκ ἐνοχλούν-
5 των ὑμῖν, σιγῇ δὲ τὰ ψευδῆ ῥᾷστ' ἐπινευόντων. οὓς μὰ τοὺς θεοὺς οὐδὲν ὠφελεῖσθαι νομίζω παρὰ τούτου· ἀλλὰ δεινοί τινές εἰσιν, ὦ ἄνδρες Ἀθηναῖοι, φθείρεσθαι πρὸς τοὺς
140 πλουσίους καὶ παρεῖναι καὶ μαρτυρεῖν. πάντα δὲ ταῦτ', οἶμαι, φοβέρ' ἐστι τῶν ἄλλων ὑμῶν ἑκάστῳ, καθ' ἑαυτὸν ὅπως δύναται ζῶντι. οὗπερ ἕνεκα συλλέγεσθ' ὑμεῖς, ἵνα,
5 ὧν καθ' ἕν' ἐστὶν ἕκαστος ὑμῶν ἐλάττων ἢ φίλοις ἢ τοῖς οὖσιν ἢ τῶν ἄλλων τινί, τούτων συλλεγέντες ἑκάστου κρείττους τε γίγνησθε καὶ παύητε τὴν ὕβριν.

141 Τάχα τοίνυν καὶ τοιοῦτός τις ἥξει πρὸς ὑμᾶς λόγος, "τί δὴ τὰ καὶ τὰ πεπονθὼς ὁ δεῖν' οὐκ ἐλάμβανε δίκην παρ' ἐμοῦ;" ἢ "τί δή;" πάλιν ἄλλον ἴσως τινὰ τῶν ἠδικημένων

3. ἔτι Σ marg., vulg. 4. ἑταιρεια (ι over ει) Σ; ἑταιρία vulg. ἐποχλούντων Σ. § 139$^{5-8}$ (οὓς...μαρτυρεῖν) obelized in Σ, F, B.

§ 140. 6. τε om. A.

§ 141. 1. τοίνυν ἴσως A. 2. ἐλάμβανεν Σ.

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3. **μισθοφόροι περὶ αὐτόν**, *mercenaries about him*, like the hired bodyguard who protect a tyrant: see Plat. Rep. viii. 566 B, C.—**πρὸς ἔθ' ἕτεροι τούτοις**: cf. Hdt. iii. 65 (end), *πρὸς ἔτι τούτοισι*.

4. **μαρτύρων συνεστῶσ' ἑταιρεία**, *an organised band of witnesses* (cf. *μαρτυρεῖν* in 8), i.e. always ready to bear witness to his noble character (see next line).—**φανερῶς οὐκ ἐνοχλούντων ὑμῖν**, i.e. *not doing anything openly to annoy you*.

5. **σιγῇ ... ἐπινευόντων**, *but always most ready* (*ῥᾷστ'*) *quietly to nod assent to lies* (in his support).

6. **ὠφελεῖσθαι** is *being actually bribed by him*, with which he does not charge them.

7. **δεινοὶ φθείρεσθαι πρὸς τοὺς πλουσίους**, *terrible fellows for running after the rich to their own destruction*. *φθείρεσθαι πρός τινα* occurs in this sense in Plutarch: see Phoc. 21^{2}, *δρόμος ἦν καὶ ἅμιλλα φθειρομένων πρὸς αὐτόν* (Harpalus); Eumen. 14^{1}, *οἱ Μακεδόνες ἐφθείροντο πρὸς τοὺς διδόντας καὶ τὰς ἐκείνων θύρας ἐθεράπευον*. Cf. Aristoph. Av. 916, *κατὰ τί δεῦρ' ἀνεφθάρης;*

8. **παρεῖναι**, *to hang upon them*.

§ 140. 2. **καθ' ἑαυτὸν...ζῶντι**, *who lives as he best can on his own resources*.

3. **συλλέγεσθ'**, *band yourselves together*.

4. **καθ' ἕν' ἕκαστος**, *each of you singly*. Notice the antithesis of *ἕκαστος ὑμῶν ἐλάττων* and *τούτων ἑκάστου κρείττους*.

§§ **141, 142** are a peroration to the preceding account of the outrages of Midias.

§ 141. 1. **τάχα**, *easily, readily*, coming very near its sense of *perhaps*, which it regularly has in *τάχ' ἄν*. In Aristotle *τάχα* and *ἄν* are very often separated without change in the sense: see Eth. i. 5, 6, *τάχα δὲ καὶ μᾶλλον ἄν τις...ταύτην ὑπολάβοι*.

2. **τὰ καὶ τὰ**, *these things and those*.—**ὁ δεῖν'**, some supposed man.

3. **ἢ "τί δή;"** the same words (see 2) are supposed to be repeated here.

ὀνομάζων. ἐγὼ δὲ δι' ἃς μὲν προφάσεις ἕκαστος ἀφίσταται τοῦ βοηθεῖν αὑτῷ, πάντας ὑμᾶς εἰδέναι νομίζω. καὶ γὰρ ἀσχολία καὶ ἀπραγμοσύνη καὶ τὸ μὴ δύνασθαι λέγειν καὶ ἀπορία καὶ μυρί' ἐστὶν αἰτία· προσήκειν μέντοι τούτῳ μὴ **142** ταῦτα λέγειν ἡγοῦμαι νυνί, ἀλλ' ὡς οὐ πεποίηκέ τι τούτων ὧν αὐτοῦ κατηγόρηκα διδάσκειν, ἐὰν δὲ μὴ δύνηται, διὰ ταῦτ' ἀπολωλέναι πολὺ μᾶλλον. εἰ γὰρ τηλικοῦτός τίς ἐστιν ὥστε τοιαῦτα ποιῶν δύνασθαι καθ' ἕν' ἕκαστον ἡμῶν ἀπο-
561 στερεῖν τοῦ δίκης παρ' αὐτοῦ τυχεῖν, κοινῇ νῦν, ἐπειδήπερ εἴληπται, πᾶσιν ὑπὲρ ἁπάντων ἐστὶ τιμωρητέος ὡς κοινὸς ἐχθρὸς τῇ πολιτείᾳ.

Λέγεται τοίνυν ποτ' ἐν τῇ πόλει κατὰ τὴν παλαιὰν ἐκεί- **143** νην εὐδαιμονίαν Ἀλκιβιάδης γενέσθαι, ᾧ σκέψασθε, τίνων εὐεργεσιῶν ὑπαρχουσῶν καὶ ποίων τινῶν πρὸς τὸν δῆμον, πῶς ἐχρήσανθ' ὑμῶν οἱ πρόγονοι, ἐπειδὴ βδελυρὸς καὶ ὑβριστὴς ᾤετο δεῖν εἶναι. καὶ οὐκ ἀπεικάσαι δήπου Μει- δίαν Ἀλκιβιάδῃ βουλόμενος τούτου μέμνημαι τοῦ λόγου, οὐχ

5. αὐτῷ Σ; ἑαυτῷ vulg. 7. ἕτερα (for αἴτια) A; ἕτερα αἴτια F.

§ **142.** 2. πεποιηκεν Σ. τι τούτων ὧν Σ, vulg.; ταῦτ' ἐφ' οἷς A, F γρ. 4. μᾶλλόν ἐστι δίκαιος A, F, Σ (corr.). 6. τυγχάνειν A, F γρ. 7. εἴληπται πᾶσιν Σ. ἐστὶ om. Y, O.

§ **143.** §§ 143—148[2] (through ἐνδεικνύμενος) obelized in Σ; through § 147 in F; through § 147[9] (διαφέρει) in B. See Blass (crit. note). 3. ποίαν τιμῶν A, F γρ. 6. οὐδ' (for οὐχ) F.

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4. **ὀνομάζων** belongs grammatically to λόγος, but refers to Midias.

6. **ἀπραγμοσύνη**, opposed to φιλοπραγμοσύνη (§ 137[6]).

§ **142.** 4. **ἀπολωλέναι πολὺ μᾶλλον**: sc. προσήκειν (1), i.e. *that he deserves death all the more* because his victims are afraid to prosecute him.

6. **κοινῇ νῦν**, opposed to καθ' ἕν' ἕκαστον ἡμῶν (5).

7. **πᾶσιν ὑπὲρ ἁπάντων**, *by all in behalf of all.*

VI. Life of Midias and estimate of his deserts. §§ **143—183.**

§§ **143—150.** (*Comparison of Alcibiades with Midias.*)

§ **143.** 1. **τὴν παλαιὰν ἐκείνην εὐδαιμονίαν**, *in those happy days of old*: the time of the Old Athenian Empire was always regarded with pride by the later Athenians.

2. **ᾧ** with ὑπαρχουσῶν: ὑπάρχουσιν εὐεργεσίαι τινί means that a man has benefactions (of his own) laid up to his credit; see οἷς ὑπάρχουσι (§ 144[7]) and ὑπῆρχεν αὐτῷ (§ 145[1]). ᾧ is also the object of ἐχρήσανθ' (4).

5. **ᾤετο δεῖν εἶναι**, *saw fit to be.*—**ἀπεικάσαι**, *to compare* (as if the two were on an equality): he wants to show how much worse Midias is than Alcibiades, who was yet deservedly punished for his misdeeds.

οὕτως εἶμ' ἄφρων οὐδ' ἀπόπληκτος ἐγώ, ἀλλ' ἵν' εἰδῆθ' ὑμεῖς, ὦ ἄνδρες Ἀθηναῖοι, καὶ γνῶθ' ὅτι οὐδὲν οὔτ' ἔστιν οὔτ' ἔσται, οὐ γένος, οὐ πλοῦτος, οὐ δύναμις, ὅ τι τοῖς πολλοῖς
144 ὑμῖν, ἂν ὕβρις προσῇ, προσήκει φέρειν. ἐκεῖνος γὰρ, ὦ ἄνδρες Ἀθηναῖοι, λέγεται πρὸς πατρὸς μὲν Ἀλκμεωνιδῶν εἶναι (τούτους δέ φασιν ὑπὸ τῶν τυράννων ὑπὲρ τοῦ δήμου στασιάζοντας ἐκπεσεῖν, καὶ δανεισαμένους χρήματ' ἐκ Δελφῶν ἐλευθερῶσαι τὴν πόλιν καὶ τοὺς Πεισιστράτου

8. οὐδὲν ἔτ' ἐστιν Σ, P; οὔτ' (for ἔτ') vulg. 9. ὅ τι Σ, P, Y, O; ὅ vulg. 10. ὑμῖν Σ; ὑμῶν vulg. ὕβρις ᾖ F.

§ **144.** 2. Ἀλκμεωνιδῶν Σ, F, Y, O; Ἀλκμαιωνιδῶν vulg.

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7. **ἀπόπληκτος**, *infatuated* (*struck* with senselessness): see xxxiv. 16, οὕτως ἀπόπληκτον καὶ παντελῶς μαινόμενον. Cf. *apoplexy*.

9. **τοῖς πολλοῖς ὑμῖν** (so Σ), *the great body of you Athenians*.

§ **144.** 2. **πρὸς πατρὸς Ἀλκμεωνιδῶν**: Dinomache, mother of Alcibiades, was daughter of Megacles, the Alcmaeonid; but we hear of no connection with that family on his father's side. Again, he is said (6) to have been related to Hipponicus on his mother's side, while we know only that his wife, Hipparete, was daughter of Hipponicus. This wealthy family bore the names Callias and Hipponicus alternately in several successive generations: cf. Aristoph. Av. 283, Ἱππόνικος Καλλίου κἀξ Ἱππονίκου Καλλίας. The memory of the orator must have failed him here; or he may carelessly give the parentage of the younger Alcibiades (see Weil's note). Aeschines commits a graver historical mistake (ii. 76), when he makes the Sicilian Expedition of 415 B.C. follow the fortification of Decelea by Sparta. We must remember that this whole passage about Alcibiades is obelized in Σ, F, and B.

4. **δανεισαμένους ... ἐλευθερῶσαι τὴν πόλιν**: the Alcmaeonidae had been exiled by Pisistratus (Hdt. i. 64, end), and they were eager to be restored. They gained the favour and influence of the Amphictyonic Council by contracting to rebuild the temple at Delphi, which had been burned in 548 B.C., for 300 talents (probably Aeginetan talents of about £274), and generously building the front of the temple with Parian marble instead of the rough *poros* stone which the contract required (Hdt. v. 62). They persuaded the Council to lend them a large amount of the sacred money, to be used in subverting the tyranny of the Pisistratidae at Athens. This was accomplished in 511—510 B.C.; and Clisthenes, one of the banished Alcmaeonidae, whose influence at Delphi had been great, became the lawgiver of democratic Athens. See Hdt. v. 62—65; and Isocrates xv. 232: Κλεισθένης ἐκπεσὼν ἐκ τῆς πόλεως ὑπὸ τῶν τυράννων, λόγῳ πείσας τοὺς Ἀμφικτύονας δανεῖσαι τῶν τοῦ θεοῦ χρημάτων αὐτῷ, τόν τε δῆμον κατήγαγε καὶ τοὺς τυράννους ἐξέβαλε καὶ τὴν δημοκρατίαν ἐκείνην κατέστησε τὴν αἰτίαν τοῖς Ἕλλησι τῶν μεγίστων ἀγαθῶν γενομένην. Isocrates omits all mention of the important service of the Alcmaeonidae. The passage of Demosthenes makes no reference to their great service in rebuilding the temple, though this probably led to their restoration and the overthrow of the Pisistratidae. It has generally been assumed that the famous temple built by them in the sixth century B.C. was the last Delphic temple, the one whose ruins remain at Delphi. But this temple was destroyed by an earthquake about 373 B.C., was slowly rebuilt by the Amphictyons, and finished about 330 B.C. Aeschines iii. 116 calls the temple in 339 B.C. τὸν καινὸν νέων πρὶν ἐξαρέσασθαι, *the new temple before its consecration*. The old attempts to explain this away seem now rather comic. See Homolle in Bull. de Corresp. Hellén. for 1896, pp. 677—701, and note 3 to my larger edition of Dem. Cor., pp. 287, 288.

παῖδας ἐκβαλεῖν), πρὸς δὲ μητρὸς Ἱππονίκου καὶ ταύτης τῆς οἰκίας, οἷς ὑπάρχουσι πολλαὶ καὶ μεγάλαι πρὸς τὸν δῆμον εὐεργεσίαι. οὐ μόνον δὲ ταῦθ' ὑπῆρχεν αὐτῷ, ἀλλὰ 145 καὶ αὐτὸς ὑπὲρ τοῦ δήμου θέμενος τὰ ὅπλα δὶς μὲν ἐν Σάμῳ, τρίτον δ' ἐν αὐτῇ τῇ πόλει, τῷ σώματι τὴν εὔνοιαν, οὐ

6. ταύτης δὴ A. 7. συγγενὴς over οἰκίας Σ, F γρ. οἷς Σ; ἧς vulg.

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7. **οἷς ὑπάρχουσι**: οἷς (Σ alone) is natural after Ἱππονίκου and οἰκίας: the common reading ἧς is harsh after ᾧ in § 143[2] and before αὐτῷ in § 145[1].

§ **145.** 2. **θέμενος τὰ ὅπλα**, i.e. *he stood in arms on the side of the people.* θέσθαι ὅπλα is properly *to ground arms*, resting the shield and spear on the ground, but ready to take them up at a moment's notice; hence often *to stand ready for battle*, thence in a figurative sense (as here) *to take his stand in a conflict.* This last is perfectly clear in Arist. Const. of Ath. § 8 (end), ὃς ἂν στασιαζούσης τῆς πόλεως μὴ θῆται τὰ ὅπλα μηδὲ μεθ' ἑτέρων, ἄτιμον εἶναι (of Solon's famous law): see Plat. Rep. iv. 440 E, and note on Dem. Cor. 289. Grote (vi. 153) was the first to notice the absurdity of understanding by θέσθαι ὅπλα in Thuc. ii. 2 *piling and stacking arms*, of which meaning it would be hard now to find an example.—**δὶς ἐν Σάμῳ, τρίτον δ' ἐν αὐτῇ τῇ πόλει.** It is not quite certain what were the two occasions when Alcibiades *took up arms at Samos in behalf of the Athenian democracy.* This language could not be used of the wily and deceitful course which he took before the establishment of the oligarchy of 400 at Athens in 411 B.C., when he urged the overthrow of the democracy and the establishment of an oligarchy which might restore him. But after the establishment of the Four Hundred, the Athenian army at Samos was the sole representative of the democracy of Athens. Alcibiades was then recalled from exile to Samos and reinstated in all his rights as a citizen of Athens; and he was at once made one of the Board of Generals by this same extemporized but genuine democracy. He was now an enthusiastic democrat, and he assured the army at Samos that he should devote himself to their interests and to the overthrow of tyranny at Athens. He promised to secure Tissaphernes and his Persian fleet for their service. He absolutely forbade them to follow their first impulses and sail to Athens, leaving powerful enemies behind them. At this time he performed a service to Athens, of which Thucydides (viii. 86[4]) says δοκεῖ πρῶτος τότε καὶ οὐδενὸς ἔλασσον τὴν πόλιν ὠφελῆσαι. The oligarchy had sent an embassy to Samos, with representations designed to quiet the excitement there and to induce the army to acquiesce in the oligarchic revolution. But this only roused the Athenians at Samos to still greater fury, and it seemed as if nothing could restrain them from rushing madly to Athens and attacking the oligarchs without delay, thus rousing a civil war in Attica. Alcibiades was the only one who could quiet them, but he finally succeeded; and he then dismissed the envoys with a politic message from himself to the Four Hundred at Athens, which began the movement which ended in the deposition of the Four Hundred and the restoration of the democracy. See Thuc. viii. 82—89.

The second service of Alcibiades during his stay at Samos was probably the decisive naval victory at Cyzicus in 410 B.C., in which the Athenians captured 30 triremes from the Peloponnesians and recaptured two. Alcibiades sailed suddenly from Samos with his fleet to the Hellespont, where a naval battle had been going on a whole day with no decisive results, and turned the scale in favour of the Athenians. See Xen. Hell. i. 1, 14—20, and Grote viii. ch. 62, 63.

We must refer the allusion to the service of Alcibiades in Athens itself to the time of his return to the city in 407 B.C. for the first time since his exile in 415 B.C. He was received with the utmost cordiality and distinction; his condemnation was rescinded, the curse invoked on his head was revoked, and the leaden plate on which it was recorded was thrown into

χρήμασιν οὐδὲ λόγοις, ἐνεδείξατο τῇ πατρίδι. ἔτι δ' ἵππων
5 Ὀλυμπίασιν ἀγῶνες ὑπῆρχον αὐτῷ καὶ νῖκαι, καὶ στρα-
τηγὸς ἄριστος, καὶ λέγειν ἐδόκει πάντων, ὡς φασιν, εἶναι
146 δεινότατος. ἀλλ' ὅμως οἱ κατ' ἐκεῖνον ὑμέτεροι πρόγονοι 562
οὐδενὸς τούτων αὐτῷ συνεχώρησαν ὑβρίζειν αὐτοὺς, ἀλλὰ
ποιήσαντες φυγάδ' ἐξέβαλον, καὶ Λακεδαιμονίων ὄντων
ἰσχυρῶν τότε καὶ Δεκέλειαν ἑαυτοῖς ἐπιτειχισθῆναι καὶ
5 τὰς ναῦς ἁλῶναι καὶ πάνθ' ὑπέμειναν, ὁτιοῦν ἄκοντες παθεῖν
κάλλιον εἶναι νομίζοντες ἢ ἑκόντες ὑβρίζεσθαι συγχωρῆσαι.
147 καίτοι τί τοσοῦτον ἐκεῖνος ὕβρισεν, ἡλίκον οὗτος νῦν ἐξελή-
λεγκται; Ταυρέαν ἐπάταξε χορηγοῦνθ' ἐπὶ κόρρης. ἔστω
ταῦτα, ἀλλὰ χορηγῶν γε χορηγοῦντα τοῦτ' ἐποίησεν, οὔπω
τόνδε τὸν νόμον παραβαίνων· (οὐ γὰρ ἔκειτό πω) εἶρξεν
5 Ἀγάθαρχον τὸν γραφέα· καὶ γὰρ ταῦτα λέγουσιν. λαβὼν
γέ τι πλημμελοῦνθ', ὡς φασιν· ὅπερ οὐδ' ὀνειδίζειν ἄξιον.
τοὺς Ἑρμᾶς περιέκοπτεν. ἅπαντα μὲν, οἶμαι, τἀσεβήματα

§ **145.** 4. *ἱππέων* Y, O. 5. *νῖκαι* Σ^1, A, P, Y, O; *νῖκαι καὶ στέφανοι* vulg.; *καὶ στέφανοι* added in Σ marg. (later).

§ **146.** 1. *κατ' ἐκεῖνον τὸν χρόνον ἡμέτεροι* F, P, Y, O. 3. *ἄτιμον καὶ* over *φυγάδα* Σ, and before *φυγάδα* F γρ. 4. *ἑαυτοῖς* Σ; *αὐτοῖς* vulg.

§ **147.** 3. *γε* om. F. 6. *γ' ἔτι* O.

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the sea; his goods were restored to him; and he was made general of the army with full powers. He soon mustered 1500 infantry and 150 cavalry, with which he attacked Andros, which was in revolt, defeated the natives and a Spartan garrison, and drove them into the city, which he left to Conon to besiege while he departed for Samos. See Xen. Hell. i. 4, 21—23; Grote viii. ch. 64.

3. **τῷ σώματι**, *by personal service.*

5. **ὑπῆρχον αὐτῷ**, *he had these* to boast of.

§ **146.** 2. **οὐδενὸς τούτων**, *for none of these*, gen. of price.

4, 5. **καὶ...καὶ...καὶ**, with the three objects of *ὑπέμειναν*.—**Δεκέλειαν ἑαυτοῖς ἐπιτειχισθῆναι**, i.e. *to have Decelea fortified*: this had been done, by the express advice of Alcibiades himself at Sparta, in $41^{1}/_{3}$ B.C. (Thuc. vi. 91^{6}; vii. 19^{1}).

6. **συγχωρῆσαι**, *to allow themselves.*

§ **147.** 2. **ἐπὶ κόρρης**: Alcibiades merely *boxed the ears* of the Choregus, but Midias struck Demosthenes *with his clenched fist* (*κονδύλοις*).

3. **χορηγῶν χορηγοῦντα**: it was one Choregus striking another, not an outsider striking a Choregus.

4. **τόνδε τὸν νόμον**, the present Dionysiac law (§§ 8, 9).

6. **ὅπερ** refers to the imprisonment of Agatharchus, whose offence is thus given by the Scholiast: *ζωγράφος οὗτος ὢν ἐφωράθη συνὼν τῇ παλλακίδι τοῦ Ἀλκιβιάδου.*

7. **τοὺς Ἑρμᾶς περιέκοπτεν**: it was generally believed that Alcibiades was one of the leaders in the mutilation of the Hermae just before the departure of the Sicilian Expedition in 415 B.C.; but it seems incredible that he could have risked so much when he was about to sail as one of the commanders in the greatest naval expedition ever undertaken by Athens, one which he had himself planned and executed.

τῆς αὐτῆς ὀργῆς δίκαιον ἀξιοῦν· τὸ δ' ὅλως ἀφανίζειν ἱερὰ
ἔσθ' ὅ τι τοῦ κόπτειν [τοὺς Ἑρμᾶς] διαφέρει. οὐκοῦν οὗτος
ἐξελήλεγκται τοῦτο ποιῶν. ἀντιθῶμεν δὴ τίς ὢν καὶ τίσι **148**
ταῦτ' ἐνδεικνύμενος· μὴ τοίνυν ὑμῖν, πρὸς τῷ μὴ καλόν,
μηδὲ θεμιτὸν νομίζετ', ἄνδρες δικασταί, μηδ' ὅσιον εἶναι
τοιούτων ἀνδρῶν οὖσιν ἀπογόνοις, πονηρὸν καὶ βίαιον καὶ
ὑβριστὴν λαβοῦσιν ἄνθρωπον καὶ μηδένα μηδαμόθεν συγ- 5
γνώμης ἢ φιλανθρωπίας ἢ χάριτός τινος ἀξιῶσαι. τίνος
γὰρ ἕνεκα; τῶν στρατηγιῶν· ἀλλ' οὐδὲ καθ' αὑτὸν στρατιώ-
της οὗτος οὐδενός ἐστ' ἄξιος, μή τί γε τῶν ἄλλων ἡγεμόν.
ἀλλὰ τῶν λόγων· ἐν οἷς κοινῇ μὲν οὐδὲν πώποτ' εἶπεν
ἀγαθόν, κακῶς δὲ ἰδίᾳ πάντας ἀνθρώπους λέγει. γένους **149**
563 ἕνεκα νὴ Δία· καὶ τίς οὐκ οἶδεν ὑμῶν τὰς ἀπορρήτους—
ὥσπερ ἐν τραγῳδίᾳ—τὰς τούτου γονάς; ᾧ δύ' ἐναντιώτατα
συμβέβηκεν εἶναι· ἡ μὲν γὰρ ὡς ἀληθῶς μήτηρ, ἡ τεκοῦσ'

8. ἱερὰ Σ[1] (alone); ἱερὰν ἐσθῆτα vulg.; Σ has ἐσθῆτα in marg. and ν over α in ἱερά, both late. 9. κόπτειν Σ; περικόπτειν vulg. τοὺς Ἑρμᾶς must be omitted for many reasons, and (as Weil remarks) because it makes ἱερὰν ἐσθῆτα necessary. See note below.

§ **148.** 2. After ἐνδεικνύμενος Σ marg. adds ἐπήρθη ταῦτα ποιεῖν. μὴ τοίνυν ὑμῖν Σ; μήτ' οὖν ὑμῖν Σ γρ. ὑμῖν om. F. 4. last καὶ om. O. 8. οὗτός γε...μή τι τῶν Σ.

§ **149.** 3. δύ' Σ; δύο A; δύο τὰ vulg.

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8. **τὸ ὅλως ἀφανίζειν ἱερά**: a strange comparison between the *total destruction* of sacred ornaments and the *mere mutilation* of the Hermae. The orator had already said of his sacred robes (§ 16[9]), διέφθειρεν, οὐ μέντοι πᾶσάν γε· οὐ γὰρ ἐδυνήθη. The Scholia have: "ἱερὰ" μόνον ἡ ἀρχαία ἔχει, ἐμφαντικὴ οὖσα πολλῶν, οἷον στεφάνων, ἐσθῆτος, αὐτῆς τῆς ἐν ἱερῷ πανηγύρεως· καὶ ταύτην ὕβρισε· ἐπεὶ τό γε "τὴν ἐσθῆτα" προσθεῖναι πολλὴν ἔχει τὴν ἐλάττωσιν. The ἀρχαία is the ancient text. ὅλως thus refers to *total destruction* of a *part* of the ἱερά. Blass rejects τοὺς Ἑρμᾶς in 9, which I bracket.

10. **τοῦτο ποιῶν**: i.e. τὸ ὅλως ἀφανίζειν, which is in strong antithesis to τοῦ κόπτειν. See critical note on 9.

§ **148.** 1. **τίσι ταῦτ' ἐνδεικνύμενος**, i.e. *to whom was he making this show of insolence?* The suppressed reply is, *to you*, the descendants of those who would not endure the lesser insolence of Alcibiades.

2. **μὴ τοίνυν...ὅσιον εἶναι**, *do not then believe, that* (*apart from its being dishonourable*) *you will be following either justice or piety.* **πρὸς τῷ μὴ καλόν**: sc. εἶναι.

5. **λαβοῦσιν** (with ὑμῖν in 2), *when you have got into your hands.*—**μηδένα μηδαμόθεν**, *a nobody of no descent.*

8. **μή τί γε τῶν ἄλλων ἡγεμών**, *much less* (*let him be spoken of*) *as a leader of others.*

9. **ἐν οἷς**: referring to τῶν λόγων.—**κοινῇ**, *in his public speeches*, opposed to ἰδίᾳ (10).

§ **149.** 2. **τὰς ἀπορρήτους...γονάς**, *the unmentionable story—it seems like tragedy—the story of his birth.* The affected hesitation after ἀπορρήτους appears in the repetition of τὰς after the parenthesis.

αὐτὸν, πλεῖστον ἁπάντων ἀνθρώπων εἶχε νοῦν, ἡ δὲ δοκοῦσα καὶ ὑποβαλομένη πασῶν ἦν ἀνοητοτάτη γυναικῶν. σημεῖον δέ· ἡ μὲν γὰρ ἀπέδοτ' εὐθὺς γενόμενον, ἡ δ' ἐξὸν αὐτῇ βελτίω πρίασθαι ταύτης τῆς τιμῆς τοῦτον ἠγόρασεν. **150** καὶ γάρ τοι διὰ τοῦτο τῶν οὐ προσηκόντων ἀγαθῶν κύριος γεγονὼς, καὶ πατρίδος τετευχὼς ἣ νόμοις τῶν ἁπασῶν πόλεων μάλιστ' οἰκεῖσθαι δοκεῖ, οὐδέν' οἶμαι τρόπον φέρειν οὐδὲ χρῆσθαι τούτοις δύναται, ἀλλὰ τὸ τῆς φύσεως βάρβαρον ἀληθῶς καὶ θεοῖς ἐχθρὸν ἕλκει καὶ βιάζεται, καὶ φανερὸν ποιεῖ τοῖς παροῦσιν ὥσπερ ἀλλοτρίοις, ὅπερ ἔστιν, αὐτὸν χρώμενον.

151 Τοσούτων τοίνυν καὶ τοιούτων ὄντων τῷ βδελυρῷ τούτῳ

6. ὑποβαλομένη Σ; ὑποβαλλομένη P, Y, O; ὑπολαμβανομένη A. 8. ταύτης τῆς Σ; τῆς ἴσης A, F; τῆς αὐτῆς Dobree, Weil, Blass, King.

§ **150.** 1. τῶν om. A, F. 2. τετευχὼς Σ, vulg.; τετυχηκὼς A, F. 3. οὐδέ (with erasure of 2 letters) Σ. 4. ὡς ἀληθῶς βάρβαρον A, F.

§ **151.** 1. ὄντων ἃ A.

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5. **πλεῖστον...νοῦν**: *she showed the greatest wisdom* in getting rid of such a son.—**ἡ δὲ δοκοῦσα καὶ ὑποβαλομένη**, *the woman who pretended to be his mother and made him pass for her own child.* This low abuse of Midias for his birth is a sad specimen of what was tolerated and even expected in the Athenian courts, and there is no ground whatever for believing a word of it. We have the familiar case in Cor. 129, where Demosthenes soberly declares that the father of Aeschines, named Tromes, was the slave of a schoolmaster and wore stocks and a wooden collar, while 13 years earlier (xix. 249, 281) he described him as himself a schoolmaster named Atrometus. This discredits the whole story, and all similar stories told by the orators about personal enemies. Aeschines is equally abusive and equally untrustworthy in his abuse of the parents of Demosthenes. The Scholiast remarks on this passage: τοῦτο συνῆπται τοῖς παρασήμοις πρὶν διορθωθῆναι τὸν λόγον....δι' ἐπήρειαν διαβάλλει τὸ γένος, ὥσπερ τὸ Αἰσχίνου καὶ τὸ Τιμοκράτους καὶ Ἀνδροτίωνος. ἐπεὶ δὲ σεμνότατον τὸ γένος, καινοτέρῳ τρόπῳ μεθώδευσεν, ὅτι οὐκ ἔστιν ἐξ ἐκείνου τοῦ γένους, ἀλλ' ὑποβολιμαῖος, ἵνα μὴ φανερῶς διασύρων πολλοῖς τῶν δοκίμων προσκρούσῃ. The παράσημα here mentioned are, according to Weil, the spurious passages, obelized in Σ, F, B (§§ 143—147), i.e. the whole account of Alcibiades. The Scholiast is perhaps right in thinking that the family of Midias was too well known to be abused in the ordinary way, so that it seemed to the orator safer to deny that he belonged to it at all.

8. **ταύτης τῆς τιμῆς**, i.e. *the price* which she paid for Midias: τιμή is now the common word for *price* in Athens.

§ **150.** 2. **νόμοις οἰκεῖσθαι**, *to be governed by laws.*

4. **τούτοις** (τοῖς νόμοις) supplies the object also to *φέρειν*, *endure.*—**τὸ τῆς φύσεως...ἐχθρὸν**, *his true natural barbarism and hostility to the Gods.*

5. **ἕλκει καὶ βιάζεται**, *drags him forcibly on.*—**φανερὸν ποιεῖ** (=φαίνει), with αὐτὸν χρώμενον in *or. obl.* (M.T. 907, end).

6. **τοῖς παροῦσιν**, *his present rights* as an Athenian.—**ὅπερ ἔστιν**, *which they are*, i.e. ἀλλότρια.

§§ **151—159.** (*Appeals to Demosthenes to drop his suit.*)

καὶ ἀναιδεῖ ὧν βεβίωται, ἔνιοί μοι προσιόντες, ὦ ἄνδρες δικασταί, τῶν χρωμένων αὐτῷ, παραινοῦντες ἀπαλλαγῆναι καὶ καθυφεῖναι τὸν ἀγῶνα τουτονί, ἐπειδή με μὴ πείθοιεν, ὡς μὲν οὐ πολλὰ καὶ δεινὰ πεποίηκεν οὗτος καὶ δίκην ἡντινοῦν ἂν δοίη δικαίως τῶν πεπραγμένων, οὐκ ἐτόλμων λέγειν, ἐπὶ ταῦτα δ' ἀπήντων ὡς "ἤλωκεν ἤδη καὶ κατεψήφισται· τίνος τιμήσειν αὐτῷ προσδοκᾷς τὸ δικαστήριον; οὐχ ὁρᾷς ὅτι πλουτεῖ καὶ τριηραρχίας ἐρεῖ καὶ λητουργίας; σκόπει δὴ μὴ τούτοις αὐτὸν ἐξαιτήσηται, καὶ ἐλάττω πολὺ τῇ πόλει καταθεὶς ἢ ὅσα σοι δίδωσι καταγελάσῃ." ἐγὼ **152** δὲ πρῶτον μὲν οὐδὲν ἀγεννὲς ὑμῶν καταγιγνώσκω, οὐδ' 564 ὑπολαμβάνω τιμήσειν οὐδενὸς ἐλάττονος τούτῳ ἢ ὅσον καταθεὶς οὗτος παύσεται τῆς ὕβρεως· τοῦτο δ' ἐστὶ μάλιστα μὲν θάνατος, εἰ δὲ μή, πάντα τὰ ὄντ' ἀφελέσθαι· ἔπειθ' ὑπὲρ τῶν τούτου λητουργιῶν καὶ τῶν τριηραρχιῶν καὶ τῶν τοιούτων λόγων ὠδὶ γιγνώσκω. εἰ μέν ἐστιν, ὦ ἄνδρες **153** Ἀθηναῖοι, τὸ λητουργεῖν τοῦτο, τὸ ἐν ὑμῖν λέγειν ἐν ἁπάσαις ταῖς ἐκκλησίαις καὶ πανταχοῦ "ἡμεῖς οἱ λητουρ-

2. ὧν om. A. 5. οὗτος Σ, P, Y, O; οὑτοσὶ vulg. 10. ἐξαιτήσεται Σ, P, Y, O; ἐξαιτήσηται vulg., F (with ε over ση). 11. καταγελάσῃ Σ; καταγελάσει F.

§ **152.** 3. ἧς δν (for ἢ ὅσον) Σ. 4. καθεὶς A. οὗτος Σ, A; οὑτοσὶ vulg. 6. τῶν τριηραρχιῶν Σ, P, Y, O; τῶν om. vulg.

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§ **151.** 2. **ὧν βεβίωται** (for ἐκείνων ἃ), unusual assimilation from nom., *the life he has led*: cf. Thuc. vii. 67[3], ἐς τὸ βλάπτεσθαι ἀφ' ὧν (=ἀπ' ἐκείνων ἃ) ἡμῖν παρεσκεύασται, and Cor. 265[1], τὰ σοὶ κἀμοὶ βεβιωμένα. We might have had τῶν αὐτῷ βεβιωμένων here.

3. **ἀπαλλαγῆναι** (absolute), *to withdraw* (from my suit): cf. ἀπήλλαγμαι, § 198[2], and ἀπαλλάττομαι, Plat. Apol. 39 D.

4. **ἐπειδή με μὴ πείθοιεν** shows that the whole passage, including προσιόντες (2), is frequentative.

5. **ὡς μὲν...πεπραγμένων** depends on λέγειν (7).

7. **ἐπὶ ταῦτα ἀπήντων**, *they proceeded to these arguments*. See xxiv. 38, ἐφ' ἑκάστην ἁπαντᾷ τὴν ὁδὸν τῶν ἀδικημάτων, *he goes into every road which the offences can take*, i.e. he meets every possible device of offenders. These examples show the variety in the use of ἁπαντῶ in this figurative meaning.—**ὡς**: before direct discourse.

11. **ἢ ὅσα σοι δίδωσι**, *than what he offers you*.

§ **152.** 3. **τιμήσειν ἐλάττονος**, *that you will make his penalty any less*.

4. **μάλιστα μὲν θάνατος, εἰ δὲ μή, ἀφελέσθαι**: this definite suggestion of alternatives in the τίμησις seems to show that in the προβολή (at least) the judges were not strictly bound to choose between the two propositions of the prosecutor and the defendant. Cf. § 176[7]. See Appendix VI. § 15.

γοῦντες, ἡμεῖς οἱ προεισφέροντες ὑμῖν, ἡμεῖς οἱ πλούσιοί ἐσμεν," εἰ τὸ τὰ τοιαῦτα λέγειν τοῦτ' ἔστι λητουργεῖν, ὁμολογῶ Μειδίαν ἁπάντων τῶν ἐν τῇ πόλει λαμπρότατον γεγενῆσθαι· ἀποκναίει γὰρ ἀηδίᾳ δήπου καὶ ἀναισθησίᾳ καθ' **154** ἑκάστην τὴν ἐκκλησίαν ταῦτα λέγων. εἰ μέντοι τί ποτ' ἐστὶν ἃ λητουργεῖ τῇ ἀληθείᾳ δεῖ σκοπεῖν, ἐγὼ πρὸς ὑμᾶς ἐρῶ. καὶ θεάσασθ' ὡς δικαίως αὐτὸν ἐξετάσω, πρὸς ἐμαυτὸν κρίνων. οὗτος, ὦ ἄνδρες Ἀθηναῖοι, γεγονὼς ἔτη περὶ πεντήκοντα ἴσως ἢ μικρὸν ἔλαττον, οὐδὲν ἐμοῦ πλείους λητουργίας ὑμῖν λελητούργηκεν, ὃς δύο καὶ τριάκοντα ἔτη γέγονα. κἀγὼ μὲν κατ' ἐκείνους τοὺς χρόνους ἐτριηράρχουν, εὐθὺς ἐκ παίδων ἐξελθών, ὅτε σύνδυ' ἦμεν οἱ τριήραρχοι καὶ τἀναλώματα πάντ' ἐκ τῶν ἰδίων διῳκοῦμεν καὶ τὰς ναῦς

§ **153.** 5. *τὸ λειτουργεῖν* F. 6. *γενέσθαι* A. 7. *ἀἀποκναίει* (first *α* marked for omission) Σ. 8. *τὴν* om. A, F.

§ **154.** 2. *ἀληθείᾳ Μειδίας* A. 4. *κρινων* (*ν* possibly added later) Σ. 5. *ἔλαττον* Σ; *ἐλάττω* vulg. 9. *ἰδίων οἴκαν* Σ, P, Y, O; *ἰδίων ἐδαπανῶμεν* A; *ἰδίων οἴκων ἐδαπανῶμεν* F; *ἦκε* Dobree (conj. for *οἴκων*), Weil; *ἰδίων διῳκοῦμεν* Schaefer.

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§ **153.** 4. **προεισφέροντες**: the 300 leaders of the symmories were obliged to advance the property tax (*εἰσφορά*) before it was due if the treasury needed funds, and they collected this later from the other tax-payers. This duty, called *προεισφορά*, was a *λητουργία*, though the *εἰσφορά* itself was not. See Appendix V.

7. **ἀποκναίει**, *he wears us out.*—**ἀηδίᾳ καὶ ἀναισθησίᾳ**, *by his want of tact and sense* (King).

§ **154.** 3. **πρὸς ἐμαυτόν**, *by comparison with myself*, as a younger and poorer man.

6. **δύο καὶ τριάκοντα ἔτη γέγονα**: if this were true, and were written for a speech to be delivered in 349 B.C., it would show that Demosthenes was born in 381 B.C., the year in which his birth is placed by Dionysius, perhaps on this authority. But the evidence showing that he was born in 384 B.C. is so strong, that we must conclude that the date here given is incorrect. See Appendix II. § 2, and my note in larger edition of De Corona, p. 234. There is no satisfactory explanation of the difficulty in the text of Demosthenes, unless we assume that *δύο* is a mistake for *δ'* (*τέσσαρα*), as it most probably is in Thuc. ii. 2, where *τέσσαρας μῆνας* seems to be an absolutely necessary emendation for *δύο μῆνας* and is now generally accepted.

8. **ὅτε σύνδυ' ἦμεν οἱ τριήραρχοι**: the earlier trierarchies of Demosthenes came in the period before 357 B.C., when each ship had one or two trierarchs, whereas Midias did not serve as trierarch until the expense was greatly reduced under the system of symmories (357 B.C.): cf. § 155. See Appendix IV. § 10.

9. **τἀναλώματα πάντ'**: *all the expenses* are all which were legally imposed on the trierarchs, and these were greatly reduced under the system of symmories. *ἐκ τῶν ἰδίων*, *from our own resources*: for the impossible *οἴκων*, which follows *ἰδίων* in Σ and the better MSS., A has *ἐδαπανῶμεν*, which is generally adopted. But this is hardly a "various reading" for *οἴκων*, for which it is difficult to find a good correction. Dobree's *ἦκε* is not very satisfactory in sense. The scholion, *σύμπαντα οἴκοθεν οἱ τριήραρχοι παρεῖχον*, might suggest *οἴκοθεν παρεῖχον* for *ἐκ τῶν ἰδίων οἴκων*. With much hesitation I have adopted

ἐπληρούμεθ' αὐτοί· οὗτος δὲ, ὅτε μὲν κατὰ ταύτην τὴν **155**
ἡλικίαν ἦν ἣν ἐγὼ νῦν, οὐδέπω λητουργεῖν ἤρχετο, τηνικαῦτα δὲ τοῦ πράγματος ἧπται, ὅτε πρῶτον μὲν διακοσίους καὶ χιλίους πεποιήκατε συντελεῖς ὑμεῖς, παρ' ὧν εἰσπραττόμενοι τάλαντον ταλάντου μισθοῦσι τὰς τριηραρχίας οὗτοι, 5
565 εἶτα πληρώμαθ' ἡ πόλις παρέχει καὶ σκεύη δίδωσιν, ὥστ' αὐτῶν ἐνίοις τῇ ἀληθείᾳ τὸ μηδὲν ἀναλῶσαι καὶ δοκεῖν λελητουργηκέναι καὶ τῶν ἄλλων λητουργιῶν ἀτελεῖς γεγενῆσθαι περίεστιν. ἀλλὰ μὴν τί ἄλλο; τραγῳδοῖς κεχορή- **156**
γηκέ ποθ' οὗτος, ἐγὼ δὲ αὐληταῖς ἀνδράσι. καὶ ὅτι τοῦτο τὸ ἀνάλωμ' ἐκείνης τῆς δαπάνης πλέον ἐστὶ πολλῷ οὐδεὶς ἀγνοεῖ δήπου. κἀγὼ μὲν ἐθελοντὴς νῦν, οὗτος δὲ καταστὰς ἐξ ἀντιδόσεως τότε, οὗ χάριν οὐδεμίαν αὐτῷ δήπου δικαίως 5
ἄν τις ἔχοι. τί ἔτι; εἰστίακα τὴν φυλὴν ἐγὼ καὶ Πανα-

10. ἐπληροῦμεν A, F.

§ **155.** 2. ἦν om. Σ, P, Y, O. 3. ἧρκται Σ γρ., B γρ. 5. ταλάντων ταλάντου Σ. 6. ἔπειτα A. τὰ πληρώματα F; τὰ (later) above line Σ. 7. μηδένα Σ (α dotted), Y. 8. ἀτελεῖς Σ, A, P, Y; ἀτελέσι vulg.

§ **156.** 3. πλέον ἐστὶ πολλῷ Σ, A (πλεῖον P, Y, O); πολλῷ πλεῖόν ἐστιν vulg. 6. τί ἔτι; om. A. ἐστίακα A.

Schaefer's suggestion, "vide ne scribendum sit ἐκ τῶν ἰδίων διῳκοῦμεν" (for which he refers to xxvii. 60, τὰ πρὸς τὴν πόλιν διοικεῖν), as the nearest to ἰδίων οἴκων. Blass simply omits οἴκων.

§ **155.** 3. **τοῦ πράγματος ἧπται**, i.e. *he has begun to* serve as trierarch.—**διακοσίους καὶ χιλίους**: there were originally 1200 of the richest citizens (called συντελεῖς) in the 20 symmories; but this number varied to some extent in different years.

4. **εἰσπραττόμενοι τάλαντον ταλάντου μισθοῦσι**: the ordinary expense of a single ship was one talent; and it was customary for the richer members of the symmories to make contracts at the beginning of the year for the performance of the whole service, advancing whatever the contractors needed. It was commonly thought that they frequently assessed the whole of the amount paid to the contractor upon their poorer colleagues, thus escaping the whole expense themselves. This charge is directly made here and in Cor. 104. **οὗτοι** here (5) means men like Midias (see note on Cor. 102[4]).

6. **πληρώμαθ'**, *the crews*, with such wages as the state could pay: the trierarchs often had to add to these.—**σκεύη**, *materials* for rigging the ship: **παρέχει** refers to the system of symmories then existing: cf. perf. **ἧπται** (3).

8. **ἀτελεῖς**: trierarchs were exempt from other λητουργίαι during their time of service.

9. **περίεστιν**, *this is their advantage.*

§ **156.** 2. **τοῦτο**, *the latter.*

4. **καταστὰς ἐξ ἀντιδόσεως**, i.e. he took the χορηγία merely to escape ἀντίδοσις (as Demosth. took the trierarchy in 364 B.C.).

6. **εἰστίακα τὴν φυλήν**, i.e. I bore the λητουργία of ἑστίασις, entertaining the members of my tribe at a simple repast. See Appendix IV. § 4.

157 θηναίοις κεχορήγηκα, οὗτος δ' οὐδέτερα. ἡγεμὼν συμμορίας ὑμῖν ἐγενόμην ἐγὼ ἔτη δέκα, ἴσον Φορμίωνι καὶ Λυσιθείδῃ καὶ Καλλαίσχρῳ καὶ τοῖς πλουσιωτάτοις, εἰσφέρων οὐκ ἀφ' ὑπαρχούσης οὐσίας (ὑπὸ γὰρ τῶν ἐπιτρόπων ἀπεστερήμην), ἀλλ' ἀπὸ τῆς δόξης ὧν ὁ πατήρ μοι κατέλιπε καὶ ὧν δίκαιον ἦν με δοκιμασθέντα κομίσασθαι. ἐγὼ μὲν οὖν οὕτως ὑμῖν προσενήνεγμαι, Μειδίας δὲ πῶς; οὐδέπω καὶ τήμερον συμμορίας ἡγεμὼν γέγονεν, οὐδὲν τῶν πατρῴων ἀποστερηθεὶς ὑπ' οὐδενός, ἀλλὰ παρὰ τοῦ πατρὸς πολλὴν **158** οὐσίαν παραλαβών. τίς οὖν ἐστιν ἡ λαμπρότης, ἢ τίνες αἱ λητουργίαι καὶ τὰ σέμν' ἀναλώματα τούτου; ἐγὼ μὲν γὰρ οὐχ ὁρῶ, πλὴν εἰ ταῦτά τις θεωρεῖ· οἰκίαν ᾠκοδόμηκεν Ἐλευσῖνι τοσαύτην ὥστε πᾶσιν ἐπισκοτεῖν τοῖς ἐν τῷ τόπῳ, καὶ εἰς μυστήρια τὴν γυναῖκ' ἄγει, κἂν ἄλλοσέ ποι βούληται, ἐπὶ τοῦ λευκοῦ ζεύγους τοῦ ἐκ Σικυῶνος, καὶ τρεῖς ἀκολούθους ἢ τέτταρας αὐτὸς ἔχων διὰ τῆς ἀγορᾶς σοβεῖ, κυμβία καὶ ῥυτὰ καὶ φιάλας ὀνομάζων οὕτως ὥστε τοὺς 566

§ **157.** 8. *ἡγεμὼν συμμορίας* A.

§ **158.** 1. *ἐστιν* om. F. 2. *τὰ* before *τούτου* A, vulg.; om. Σ, P, Y, O. 4. *ἐν* Ἐλ. A, F. 5. *ποι* (with *ὁ* over *π*) Σ. 8. *φιάλας καὶ τὰ τοιαῦτα* A.

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§ **157.** 1. **ἡγεμὼν συμμορίας**, one of the 300 leaders of symmories for the property-tax: *ἐγενόμην*, *I was made* one of these, implies that he was not properly in that rank: see below (3—6).

2. **ἔτη δέκα**: the ten years of his guardianship.

3—5. **εἰσφέρων οὐκ...κατέλιπε**: i.e. I was taxed, not on my actual property, which my guardians had squandered, but on what it was believed (*δόξης*) my father had bequeathed to me. For the *εἰσφορά* see Appendix V.

6. **δοκιμασθέντα**, *when I should have passed my* δοκιμασία *εἰς ἄνδρας*.

7. **οὕτως ὑμῖν προσενήνεγμαι**, *such have been my relations to you.*—**οὐδέπω... ἡγεμὼν γέγονεν**: this implies that Midias contrived to avoid being one of the Three Hundred; but he doubtless, as a man of great actual wealth, secured many of the advantages which the leaders enjoyed (cf. § 155[4]). As Demosth. is here comparing Midias with himself, *ἡγεμὼν* here must mean one of the 300 leaders of the symmories for the property-tax. The 20 symmories for the trierarchy had of course only 20 *ἡγεμόνες*, but these all belonged to the 300. See Appendix IV.

§ **158.** 3. **πλὴν εἰ ταῦτά τις θεωρεῖ**, *unless we look at the following facts.*

5. **κἂν ἄλλοσέ ποι βούληται**, *and anywhere else he pleases.*

6. **ἐπὶ τοῦ λευκοῦ ζεύγους**, *driving his pair of white horses* (or *mules*): for *ζεῦγος* meaning a vehicle, see Lexicon.—**τοῦ ἐκ Σικυῶνος**: probably only the animals came from Sicyon.

7. **διὰ τῆς ἀγορᾶς σοβεῖ**, *he swaggers through the market-place.*

8. **κυμβία... ὀνομάζων**, i.e. *boasting about his cups etc. and telling their names.* *ῥυτά* were cups shaped like ox horns.

παριόντας ἀκούειν. ἐγὼ δ' ὅσα μὲν τῆς ἰδίας τρυφῆς **159**
ἕνεκα Μειδίας καὶ περιουσίας κτᾶται, οὐκ οἶδ' ὅ τι τοὺς
πολλοὺς ὑμῶν ὠφελεῖ· ἃ δ' ἐπαιρόμενος τούτοις ὑβρίζει, ἐπὶ
πολλοὺς καὶ τοὺς τυχόντας ἡμῶν ἀφικνούμεν' ὁρῶ. οὐ δεῖ
δὴ τὰ τοιαῦθ' ἑκάστοτε τιμᾶν οὐδὲ θαυμάζειν ὑμᾶς, οὐδὲ 5
τὴν φιλοτιμίαν ἐκ τούτων κρίνειν, εἴ τις οἰκοδομεῖ λαμπρῶς
ἢ θεραπαίνας κέκτηται πολλὰς ἢ σκεύη, ἀλλ' ὃς ἂν ἐν
τούτοις λαμπρὸς καὶ φιλότιμος ᾖ ὧν ἅπασι μέτεστι τοῖς
πολλοῖς ὑμῶν· ὧν οὐδὲν εὑρήσετε τούτῳ προσόν.

Ἀλλὰ νὴ Δία τριήρη ἐπέδωκεν· ταύτην γὰρ οἶδ' ὅτι **160**
θρυλήσει, καὶ φήσει "ἐγὼ ὑμῖν τριήρη ἐπέδωκα." οὑτωσὶ
δὴ ποιήσατε. εἰ μέν, ὦ ἄνδρες Ἀθηναῖοι, φιλοτιμίας ἕνεκα
ταύτην ἐπέδωκεν, ἣν προσήκει τῶν τοιούτων ἔχειν χάριν,
ταύτην ἔχετ' αὐτῷ καὶ ἀπόδοτε, ὑβρίζειν δὲ μὴ δῶτε· οὐ- 5
δενὸς γὰρ πράγματος οὐδ' ἔργου τοῦτο συγχωρητέον. εἰ
δὲ δὴ καὶ δειλίας καὶ ἀνανδρίας ἕνεκα δειχθήσεταί τοῦτο
πεποιηκὼς, μὴ παρακρουσθῆτε. πῶς οὖν εἴσεσθε; ἐγὼ
καὶ τοῦτο διδάξω. ἄνωθεν δὲ—βραχύς ἐσθ' ὁ λόγος—

9. παρόντας F.

§ **159.** 2. Μειδίας om. A. 3. τούτους P. 4. ἡμῶν Σ, P, Y, O; ὑμῶν vulg. δεῖ δὴ Σ; δὴ δεῖ vulg. 7. σκεύη Meier, Dind., Blass, Weil; there follows καλὰ in Σ, Y, O; πολλὰ in F; λαμπρὰ in A, P.

§ **160.** 1. νὴ Δία τριήρη ἐπέδωκε A; νὴ in Σ is corr. to μὴν, with a view to μὴν διὰ τριήρη, found in F and B γρ. τριήρη ἣν Σ, F, P, Y, O. 2. θρυλλήσει Σ. 3. δὲ for δὴ Σ. 8. παρακρούσητε (θ over η) Σ. 9. γὰρ (to precede ἐσθ') Σ marg.

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§ **159.** 1. **τρυφῆς ἕνεκα καὶ περιουσίας**, *for luxury and superabundance.*

4. **τοὺς τυχόντας** (=οἳ ἂν τύχωσι), *those who happen to come in his way.*—**ἀφικνούμεν'** with ἐπὶ, *come upon, affect.*

6. **τὴν φιλοτιμίαν ἐκ τούτων κρίνειν**, *to judge love of honour* (i.e. *to decide that a man is truly* φιλότιμος) *by this.*

7. **ἀλλ' ὃς ἄν...φιλότιμος ᾖ**: a sudden change from εἴ τις οἰκοδομεῖ (6). The general relative condition with ὃς ἄν and the subj. and the corresponding protasis with ἐάν are often practically equivalent; and the indicative without ἄν may be used in both without essential change of force.

8. **ὧν ἅπασι μέτεστι τοῖς πολλοῖς ὑμῶν**, *which interest your whole commonalty.*

§§ **160—174.** (*Pretended public services of Midias.*)

§ **160.** 1. **τριήρη ἐπέδωκεν**, "*he gave a trireme*" to the state,—as a voluntary gift, ἐπίδοσις.

5. **ἀπόδοτε**, *grant this* (χάριν) *to him* (as his right).

6. **πράγματος, ἔργου**: gen. of price.

8. **μὴ παρακρουσθῆτε**, *do not be driven astray*: cf. xxiii. 107, ἐφενακίσθητε καὶ παρεκρούσθητε.

9. **ἄνωθεν λέξω**: cf. § 77[7], κἂν ἄνωθεν ἄρχεσθαι δοκῶ.

161 λέξω. ἐγένοντ' εἰς Εὔβοιαν ἐπιδόσεις παρ' ὑμῖν πρῶται· τούτων οὐκ ἦν Μειδίας, ἀλλ' ἐγώ, καὶ συντριήραρχος ἦν μοι Φιλῖνος ὁ Νικοστράτου. ἕτεραι δεύτεραι μετὰ ταῦτ' εἰς Ὄλυνθον· οὐδὲ τούτων ἦν Μειδίας. καίτοι τόν γε δὴ φιλότιμον πανταχοῦ προσῆκεν ἐξετάζεσθαι. τρίται νῦν αὗται γεγόνασιν ἐπιδόσεις· ἐνταῦθ' ἐπέδωκε. πῶς; ἐν τῇ βουλῇ γιγνομένων ἐπιδόσεων παρὼν οὐκ ἐπε- 567
162 δίδου τότε· ἐπειδὴ δὲ πολιορκεῖσθαι τοὺς ἐν Ταμύναις στρατιώτας ἐξηγγέλλετο, καὶ πάντας ἐξιέναι τοὺς ὑπολοίπους ἱππέας, ὧν εἷς οὗτος ἦν, προεβούλευσεν ἡ βουλή, τηνικαῦτα, φοβηθεὶς τὴν στρατείαν ταύτην, εἰς τὴν ἐπιοῦσαν ἐκκλησίαν, πρὶν καὶ προέδρους καθίζεσθαι, παρελθὼν ἐπέδωκεν. τῷ δῆλον, ὥστε μηδ' ἀντειπεῖν αὐτὸν ἔχειν, ὅτι τὴν στρατείαν φεύγων, οὐ φιλοτιμίᾳ, τοῦτ' ἐποίησεν; τοῖς **163** μετὰ ταῦτα πραχθεῖσιν ὑπ' αὐτοῦ. τὸ μὲν γὰρ πρῶτον, ὡς

10. δν (to precede λέξω) added to line in Σ. Dind. omits ἄνωθεν...λέξω, and the following κἀν ἄνωθεν ἄρχεσθαι δοκῇ (vulg.), interpolated from § 77 (end), not found in Σ.

§ **161.** 5. δὴ om. A. πανταχῆ A. 6. τρίται τοίνυν Σ, P, Y. 7. παρ' ὧν F, B.

§ **162.** 4. στρατιὰν A (also in 7). 5. παρελθὼν (corr. to προελθὼν) F. 6. δῆλον, changed to δήμῳ, Σ, F.

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§ **161.** 1. **εἰς Εὔβοιαν ἐπιδόσεις πρῶται**: in 357 B.C. the old system of trierarchy proved unequal to the sudden call for a fleet to expel the Thebans from Euboea, and volunteer trierarchs offered themselves for the first time. See Cor. 99[10]. We have the record of this trierarchy of Philinus and Demosthenes in Corp. Ins. Att. ii. 2, No. 794, col. *d*. 40: Φιλῖνον Λακι(άδην), Δημοσθ[ένην Παια-] (νιᾶ), ἃ ἐπὶ τὴν Εω ὤ[φ]ειλον. The inscription is of 356—365 B.C., and this refers to trierarchs of the previous year. Ten lines above we find the name Μειδίαν Ἀναγυρά(σιον): this also refers to 357—356 B.C., and is not opposed to the statement in line 2 (above). Midias was probably one of the ordinary trierarchs of that year, not one of the volunteers.

3. **δεύτεραι...εἰς Ὄλυνθον**: see § 197.

4. **τούτων**, of the volunteers.

5. **ἐξετάζεσθαι**, *to be found at his post*: see note on § 127[6].

6. **αὗται ἐπιδόσεις**, *these present gifts*, made for the recent war in Euboea. The omission of the article with αὗται is proper when there is an emphatic allusion to something present (in place or time).

7. **γιγνομένων ἐπιδόσεων**, i.e. *when the Senate was receiving offers of gifts*.

§ **162.** 2. **ἐξιέναι** (as fut.), *were to march out*.

3. **προεβούλευσεν**, *voted* (by a προβούλευμα).

5. **πρὶν...καθίζεσθαι**: Midias was in haste to announce his ἐπίδοσις, because the προβούλευμα of the Senate was to come to a vote at this meeting of the Assembly, and he did not want to appear to be avoiding service in the cavalry after it had been ordered to Euboea.

οὐκ ἐδόκει, προϊούσης τῆς ἐκκλησίας καὶ λόγων γιγνομένων, τῆς τῶν ἱππέων βοηθείας ἤδη δεῖν, ἀλλ' ἀνεπεπτώκει τὰ τῆς ἐξόδου, οὐκ ἀνέβαινεν ἐπὶ τὴν ναῦν ἣν ἐπέδωκεν, ἀλλὰ τὸν μέτοικον ἐξέπεμψε τὸν Αἰγύπτιον, Πάμφιλον, αὐτὸς δὲ μένων ἐνθάδε τοῖς Διονυσίοις διεπράττετο ταῦτ' ἐφ' οἷς νυνὶ κρίνεται· ἐπειδὴ δ' ὁ στρατηγὸς Φωκίων μετεπέμπετο τοὺς **164** ἐξ Ἀργούρας ἱππέας ἐπὶ τὴν διαδοχὴν καὶ κατείληπτο σοφιζόμενος, τότε ὁ δειλὸς καὶ κατάρατος οὑτοσὶ λιπὼν τὴν τάξιν ταύτην ἐπὶ τὴν ναῦν ᾤχετο, καὶ ὢν ἱππαρχεῖν ἠξίωσε παρ' ὑμῖν ἱππέων, τούτοις οὐ συνεξῆλθεν. εἰ δ' ἐν τῇ θαλάττῃ κίνδυνός τις ἦν, εἰς τὴν γῆν δῆλον ὅτι ᾤχετ' ἄν. οὐ μὴν Νικήρατός γε οὕτως ὁ τοῦ Νικίου, ὁ ἀγαπητὸς, ὁ ἄπαις, **165** ὁ παντάπασιν ἀσθενὴς τῷ σώματι· οὐδ' Εὐκτήμων ὁ τοῦ Αἰσίωνος, οὐχ οὕτως· οὐδ' Εὐθύδημος ὁ τοῦ Στρατοκλέους· ἀλλ' αὐτῶν ἕκαστος ἑκὼν ἐπιδοὺς τριήρη οὐκ ἀπέδρα ταύτῃ τὴν στρατείαν, ἀλλὰ τὴν μὲν [ἐπίδοσιν] ἐν χάριτος μέρει
568 καὶ δωρεᾶς παρεῖχον πλέουσαν τῇ πόλει, οὗ δ' ὁ νόμος

§ **163.** 2. ἤδη τῆς A. 4. ἐνέβαινεν A, F. 6. ἐνταῦθαδε Σ. ἐν τοῖς P, Y, O.

§ **164.** 2. ἀργυρας (υ changed to ου) Σ. 3. οὗτος F.

§ **165.** 1. ὁ ἀγαπητὸς, ὁ ἄπαις Σ, vulg., Weil; ὁ παῖς (for ὁ ἄπαις) A, F, Blass; τοῦ Νικίου ἀγαπητὸς παῖς Dind. 4. ταύτην MSS.; ταύτῃ Bekker. 5. [ἐπίδοσιν] Bekk. 6. οὐδὲ • • νόμος, two letters (ν, ὁ?) erased, Σ; οὗ δ' ὁ νόμος vulg.

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§ **163.** 3. **τῆς...βοηθείας**, i.e. despatching the cavalry to the seat of war. —**ἀνεπεπτώκει**, *had fallen through.*

6. **ταῦτ'...κρίνεται**: i.e. he stayed at home and assaulted me at the Dionysia.

§ **164.** 1. **τοὺς ἐξ Ἀργούρας ἱππέας**: see note on § 132[2]: this included Midias. After the victory of Tamynae, Phocion again became alarmed and recalled all who had left the army before the battle.

2. **ἐπὶ τὴν διαδοχὴν**, i.e. *as relay*, to fill the places of those who fell in the battle.—**κατείληπτο**: sc. *Meidias.*

3. **λιπὼν τὴν τάξιν ταύτην**: by going on board of his ship, instead of joining his regiment in Euboea, he was *thus* (ταύτην) in a way guilty of λιποτάξιον.

4. **ἐπὶ τὴν ναῦν ᾤχετο**, *he was off to his ship*: he then thought his own trireme safer than the camp at Tamynae.

5. **παρ' ὑμῖν**: when the cavalry was safely encamped at Athens.

6. **εἰς τὴν γῆν ᾤχετ' ἄν**: cf. 4.

§ **165.** 1. **Νικήρατος**: probably a descendant of Nicias, son of Niceratus, who perished at Syracuse in 413 B.C.—**ἀγαπητὸς**: Schol. *μόνος τῷ πατρί.* Cf. Od. ii. 365, *μοῦνος ἐὼν ἀγαπητός.*—**ὁ ἄπαις**: Schol. *ὁ νέος ἔτι καὶ παῖς* (which may belong to the reading *ὁ παῖς*). *ἄπαις* seems to mean that being childless (as well as an only son) he was the only hope of the family, and therefore would not be expected to risk his life in battle (see Weil). Dindorf's *Νικίου ἀγαπητὸς παῖς* is attractive and avoids many difficulties, among them the four articles; but it is a wide departure from the MSS.

5. **τὴν μὲν**: sc. *τριήρη.*—*ἐπίδοσιν* is generally suspected on account of the following *πλέουσαν*, *in good sailing order.*

προσέταττεν, ἐνταῦθα τοῖς σώμασιν αὐτοὶ λητουργεῖν
166 ἠξίουν. ἀλλ' οὐχ ὁ ἵππαρχος Μειδίας, ἀλλὰ τὴν ἐκ τῶν
νόμων τάξιν λιπών, οὗ δίκην ὀφείλει τῇ πόλει δοῦναι, τοῦτ'
ἐν εὐεργεσίας ἀριθμήσει μέρει. καίτοι τὴν τοιαύτην τριη-
ραρχίαν, ὦ πρὸς θεῶν, πότερον τελωνίαν καὶ πεντηκοστὴν
5 καὶ λιποταξίαν καὶ στρατείας ἀπόδρασιν καὶ πάντα τὰ
τοιαῦθ' ἁρμόττει καλεῖν, ἢ φιλοτιμίαν; οὐδένα γὰρ τρόπον
ἄλλον ἐν τοῖς ἱππεῦσιν αὐτὸν ἀτελῆ ποιῆσαι στρατείας
δυνάμενος ταύτην εὗρηκε Μειδίας καινὴν ἱππικήν τινα πεν-
167 τηκοστήν. καὶ γὰρ αὖ τοῦτο. τῶν ἄλλων ἁπάντων τῶν
ἐπιδόντων τριηράρχων παραπεμπόντων ὑμᾶς ὅτε δεῦρ'
ἀπεπλεῖτ' ἐκ Στύρων, μόνος οὗτος οὐ παρέπεμπεν, ἀλλ' ἀμε-
λήσας ὑμῶν χάρακας καὶ βοσκήματα καὶ θυρώματ' ὡς
5 αὐτὸν καὶ ξύλ' εἰς τὰ ἔργα τὰ ἀργύρει' ἐκόμιζε, καὶ χρη-

§ **166.** 3. εὐεργεσίαις Σ. 4. τῶν θεῶν A, F. 5. λιποταξίαν Σ, A, F, P, Y, O; λειποταξίαν vulg. στρατιᾶς A. 8. κενὴν ἱππικὴν Σ; καινὴν ἱππικῆς vulg.

§ **167.** 1. αὖ τοῦτο A, P; ἀν τοῦ τὸ τῶν ἄλλων Σ; αὖ τότε vulg. 2. τριηράρχων Σ, F, B; τριηραρχῶν vulg. 3. ἐπεπλεῖτε P, O. Στύρων (corr. to Σκυθῶν) Σ, Y marg. 5. καὶ ξύλ' om. A. τὰ εργα ἀργυρια ἐκόμιζεν Σ; τὰ ἀργύρια A; ἀργύρια vulg.

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7. **αὐτοὶ λητουργεῖν**, *to do personal service.*

§ **166.** 1. **ἀλλ' οὐχ**: cf. *οὐ μὴν οὕτως* (§ 165[1]).—**τὴν ἐκ τῶν νόμων τάξιν**, *the post to which he was assigned by the laws.*

2. **οὗ** and **τοῦτ'** refer to the whole complicated transaction of using his *ἐπίδοσις* as a means of shirking his duty to the state.

4. **τελωνίαν καὶ πεντηκοστήν**, *revenue-farming and collection of customs.* The various taxes and custom duties at Athens were farmed out to τελῶναι, who paid a moderate sum to the state and collected all they could from the taxpayers. They were exempt from military duty: see [lix.] 27, *οὔσης αὐτῷ ἀτελείας ἐκ τῶν νόμων.* Cf. the Scholiast, *ἐπειδὴ οἱ τελῶναι τοῦ πολεμεῖν εἶχον ἀτέλειαν.* Their exemption from service and their management of the revenues so as to secure undue profits from collecting them are the points in which the τελῶναι resemble Midias with his skilful management of his trireme. He escaped service in Euboea by his trireme, and he secured large profits by using the trireme afterwards to carry his own freight (see § 167[3–7]).

8. **ταύτην ... πεντηκοστήν**, *this new kind of cavalry-collectorship*, i.e. getting a collector's profits by pretending to serve in the cavalry: for the *πεντηκοστή* see note on § 133[6].

§ **167.** 2. **ἐπιδόντων**: sc. *τριήρεις.*—**παραπεμπόντων ὅτε δεῦρ' ἀπεπλεῖτ'**: the volunteer fleet escorted the Athenian army home when the war in Euboea was supposed to be ended; Midias alone using his trireme for his own purposes.

3. **ἐκ Στύρων**: Styra was on the west coast of Euboea, opposite the bay of Marathon, and near the hills of Laurium, in which Midias (like the older Nicias) probably owned large silver mines (*ἔργα ἀργύρεια*); to these *ὡς αὐτόν* (4) refers.

ματισμὸς, οὐ λῃτουργία γέγονεν ἡ τριηραρχία τῷ καταπτύστῳ τούτῳ. ἀλλὰ μὴν ὡς ἀληθῆ λέγω σύνιστε μὲν τὰ πολλὰ τούτων, ὅμως δὲ καὶ μάρτυρας ὑμῖν καλῶ.

ΜΑΡΤΥΡΕΣ.

[Κλέων Σουνιεὺς,' Αριστοκλῆς Παιανιεὺς, Πάμφιλος, Νικήρατος **168**
'Αχερδούσιος, Εὐκτήμων Σφήττιος, καθ' ὃν καιρὸν ἐκ Στύρων
ἀπεπλέομεν δεῦρο τῷ στόλῳ παντὶ, ἐτύχομεν τριηραρχοῦντες
καὶ αὐτοὶ καὶ Μειδίας ὁ νῦν κρινόμενος ὑπὸ Δημοσθένους, ᾧ
569 μαρτυροῦμεν. παντὸς δὲ τοῦ στόλου πλεόντων ἐν τάξει, καὶ 5
τῶν τριηράρχων ἐχόντων παράγγελμα μὴ χωρίζεσθαι ἕως ἂν
δεῦρο καταπλεύσωμεν, Μειδίας ὑπολειφθεὶς τοῦ στόλου, καὶ
γεμίσας τὴν ναῦν ξύλων καὶ χαράκων καὶ βοσκημάτων καὶ
ἄλλων τινῶν, κατέπλευσεν εἰς Πειραιᾶ μόνος μεθ' ἡμέρας δύο,
καὶ οὐ συγκατέστησε τὸν στόλον μετὰ τῶν ἄλλων τριηράρχων.] 10

Εἰ τοίνυν ὡς ἀληθῶς, ἄνδρες 'Αθηναῖοι, οἷάπερ φήσει **169**
καὶ καταλαζονεύσεται πρὸς ὑμᾶς αὐτίκα δὴ μάλα, τοιαῦτ'
ἦν αὐτῷ τὰ λελῃτουργημένα καὶ πεπραγμένα, καὶ μὴ
τοιαῦτα οἷ' ἐγὼ δεικνύω, οὐδ' οὕτω δήπου τό γε δοῦναι
δίκην ὧν ὕβρικεν ἐκφυγεῖν ταῖς λῃτουργίαις δίκαιος ἂν ἦν. 5
ἐγὼ γὰρ οἶδ' ὅτι πολλοὶ πολλὰ κἀγαθὰ ὑμᾶς εἰσιν εἰργασμένοι, οὐ κατὰ τὰς Μειδίου λῃτουργίας, οἱ μὲν ναυμαχίας
νενικηκότες, οἱ δὲ πόλεις εἰληφότες, οἱ δὲ πολλὰ καὶ καλὰ
ὑπὲρ τῆς πόλεως στήσαντες τρόπαια· ἀλλ' ὅμως οὐδενὶ **170**
πώποτε τούτων δεδώκατε τὴν δωρεὰν ταύτην οὐδ' ἂν δοίητε,

6. *οὐχὶ* A. 7. *μετὰ* (for *μὲν τὰ*) Y. 8. *τούτων ὑμεῖς* A.
§ **168.** om. A.
§ **169.** 1. *ἄνδρες* Σ, P; *ὦ ἄνδρες* vulg. *οἷάπερ* Reiske; *ἅπερ* MSS. *φήσει* Σ; *φησὶ* A, P, Y, O. 2. *καταλαζονεύεται* Σ, A, Y, P, O. 3. *αὐτῷ* Σ, A, B; *αὐτῷ καὶ* vulg. 5. *ὧν ἐμὲ* F. *ἐκφυγεῖν* Σ, A, P, Y, O; *ἐκφεύγειν* vulg. 8, 9. *καλὰ τῇ πόλει* A.
§ **170.** 1. *ὅμως ὑμεῖς* A, Y. 2. *δεδώκατε* Σ, P, Y, O; *ἐδώκατε* vulg.

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§ **169.** 1. **φήσει καὶ καταλαζονεύσεται** is an example of rhetorical amplification common in the orators, like *πράττειν καὶ ποιεῖν, ζώντων καὶ ὄντων*, Cor. 62, 72: see note on Cor. 4^6.
4. **οὐδ' οὕτω**, *not even thus* (under these circumstances).
7. **κατὰ**, *in the style of*.

ἐξεῖναι τοὺς ἰδίους ἐχθροὺς ὑβρίζειν αὐτῶν ἑκάστῳ ὁπότ' ἂν βούληται καὶ ὃν ἂν δύνηται τρόπον. οὐδὲ γὰρ Ἁρμοδίῳ καὶ Ἀριστογείτονι· τούτοις γὰρ δὴ μέγισται δέδονται δωρεαὶ παρ' ὑμῶν καὶ ὑπὲρ μεγίστων. οὐδ' ἂν ἠνέσχεσθε, εἰ προσέγραψέ τις ἐν τῇ στήλῃ "ἐξεῖναι δὲ καὶ ὑβρίζειν αὐτοῖς ὃν ἂν βούλωνται·" ὑπὲρ γὰρ αὐτοῦ τούτου τὰς ἄλλας ἔλαβον δωρεὰς, ὅτι τοὺς ὑβρίζοντας ἔπαυσαν.

171 Ὅτι τοίνυν κεκόμισται χάριν, ὦ ἄνδρες Ἀθηναῖοι, παρ' ὑμῶν, οὐ μόνον ὧν αὐτὸς λελῃτούργηκε λῃτουργιῶν ἀξίαν (μικρὰ γὰρ αὕτη γέ τις ἦν) ἀλλὰ καὶ τῶν μεγίστων, καὶ τοῦτο βούλομαι δεῖξαι, ἵνα μηδ' ὀφείλειν οἴησθέ τι τῷ καταπτύστῳ τούτῳ. ὑμεῖς γὰρ, ὦ ἄνδρες Ἀθηναῖοι, ἐχειροτονήσατε τοῦτον τῆς Παράλου ταμίαν, ὄντα τοιοῦτον οἷός ἐστι, καὶ πάλιν ἵππαρχον, ὀχεῖσθαι διὰ τῆς ἀγορᾶς ταῖς πομπαῖς οὐ δυνάμενον, καὶ μυστηρίων ἐπιμελητὴν καὶ ἱεροποιόν ποτε καὶ βοώνην, καὶ τὰ τοιαῦτα δή. εἶτα πρὸς τῶν

3, 4. ὁπουεὰν Σ, Y, P^1; ὁπόταν A; ὅπου ἂν Schol. 5. δέδονται after δωρεαὶ A. Σγρ. has: οὐδὲ γὰρ αρμοδίω καὶ αριστογείτονι· τούτοις γαρ δεδονται μεγισται δωρεαὶ παρ ὑμῶν· και ὑπερ μεγιστων· οὐ δεδοται τοῦτο· οὐδὰν

§ **171.** 1. καὶ κεκόμισται vulg.; καὶ om. Σ. 3. γ' ἂν for γὰρ Weil; γὰρ ἂν Cobet. 4. καὶ om. A. 9. δή om. A.

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§ **170.** 4. **Ἁρμοδίῳ καὶ Ἀριστογείτονι**: the Attic law exempted these heroes and their descendants from all the public burdens except the trierarchy and the property tax. Both names were usually mentioned in the laws, though Aristogiton left no descendants. See xx. 18: *τῶν εἰς τὸν πόλεμον καὶ τὴν σωτηρίαν τῆς πόλεως εἰσφορῶν καὶ τριηραρχιῶν οὐδεὶς ἐστ' ἀτελὴς, οὐδ' οἷς οὗτος* (Leptines) *ἔγραψε, τοὺς ἀφ' Ἁρμοδίου.*

7. **ἐν τῇ στήλῃ**, *on the pillar* which recounted their services.

§ **171.** 3. **αὕτη** refers to *χάριν ἀξίαν*.

6. **Παράλου ταμίαν**: the Paralus and the Salaminia were public triremes: cf. Aristoph. Av. 147, *κλητῆρ' ἄγουσ' ἡ Σαλαμινία*, and 1204, *Πάραλος ἡ Σαλαμινία;*

7. **ἵππαρχον**: there were two Hipparchs, who commanded the cavalry. See Arist. Const. of Ath. § 61, 4: *χειροτονοῦσι ἱππάρχους δύο ἐξ ἁπάντων· οὗτοι δ' ἡγοῦνται τῶν ἱππέων, διελόμενοι τὰς φυλὰς πέντε ἑκάτερος· κύριοι δὲ τῶν αὐτῶν εἰσιν ὥνπερ οἱ στρατηγοὶ κατὰ τῶν ὁπλιτῶν.* The power of the *στρατηγοί* was, however, more extensive in other ways, including a general authority over the whole military and naval force of Athens. See Poll. i. 128: *ἄρχοντες, οἱ μὲν τοῦ παντὸς, οἱ στρατηγοί.* They also were responsible for the general safety of the country.—**ὀχεῖσθαι...οὐ δυνάμενον**: *when he could not even ride his horse in a procession* (he did not know how to ride): see Weil.

8. **μυστηρίων**, the Eleusinia.—**ἱεροποιόν**: see Ar. Const. Ath. § 54, 6: *ἱεροποιοὺς δέκα, τοὺς ἐπὶ τὰ ἐκθύματα καλουμένους, κἂν τι καλλιερῆσαι δέῃ, καλλιεροῦσι μετὰ τῶν μάντεων.*

9. **βοώνην**: Bekk. Anecd. p. 219[22], *ἄρχων ὁ τοὺς βοῦς ὠνούμενος τῇ πόλει πρὸς τὰς θυσίας.* Cf. Harp.: *λαμπρὸς ἦν ὁ βοώνης, καὶ αἱ μέγισται ἀρχαὶ ἐπὶ τούτῳ ἐχειροτονοῦντο* (see Dindorf's note).

θεῶν τὸ τὴν τῆς φύσεως κακίαν καὶ ἀνανδρίαν καὶ πονηρίαν ταῖς παρ' ὑμῶν ἀρχαῖς καὶ τιμαῖς καὶ χειροτονίαις ἐπανορθοῦσθαι μικρὰν ὑπολαμβάνετ' εἶναι δωρεὰν καὶ χάριν; καὶ μὴν εἴ τις αὐτοῦ ταῦτ' ἀφέλοιτο, "ἱππάρχηκα, τῆς Παράλου ταμίας γέγονα," τίνος ἄλλου ἔστ' ἄξιος; ἀλλὰ μὴν **173** κἀκεῖνό γ' ἐπίστασθε, ὅτι τῆς μὲν Παράλου ταμιεύσας Κυζικηνῶν ἥρπασε πλεῖν ἢ πέντε τάλαντα, ὑπὲρ ὧν ἵνα μὴ δῷ δίκην, πάντα τρόπον περιωθῶν καὶ ἐλαύνων τοὺς ἀνθρώπους καὶ τὰ σύμβολα συγχέων τὴν μὲν πόλιν ἐχθρὰν τῇ πόλει πεποίηκε, τὰ χρήματα δ' αὐτὸς ἔχει· ἵππαρχος δὲ χειροτονηθεὶς λελύμανται τὸ ἱππικὸν ὑμῶν, τοιούτους θεὶς νόμους οὓς πάλιν αὐτὸς ἔξαρνος ἦν μὴ τεθηκέναι. καὶ **174** τῆς μὲν Παράλου ταμιεύων τότε, ὅτε τὴν ἐπὶ Θηβαίους ἔξοδον εἰς Εὔβοιαν ἐποιεῖσθ' ὑμεῖς, δώδεκα τῆς πόλεως τάλαντ' ἀναλίσκειν ταχθεὶς, ἀξιούντων ὑμῶν πλεῖν καὶ παραπέμπειν τοὺς στρατιώτας οὐκ ἐβοήθησεν, ἀλλ' ἤδη τῶν σπονδῶν γεγονυιῶν, ἃς Διοκλῆς ἐσπείσατο Θηβαίοις, ἦκεν. καὶ τόθ' ἡττᾶτο πλέων τῶν ἰδιωτικῶν τριήρων μιᾶς· 571 οὕτως εὖ τὴν ἱερὰν τριήρη παρεσκευάκει. ἱππαρχῶν τοί-

§ **172.** 6. ἄλλου ἔστ' ἄξιος Σ; ἔστ' ἄλλου ἄξιος F; ἄξιός ἐστιν A; ἔστ' ἄξιος οὗτος; Blass.

§ **173.** 3. πλεῖν Dind.; πλεῖον Σ, vulg. 4. περιωθῶν MSS.; περιάγων (?) Σ marg., F marg. 6. πεποίηκεν Σ. 8. τεθεικέναι MSS.

§ **174.** 7. τριήρων A; τριηρων Σ; τριηρῶν vulg.

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§ **172.** 2. **τὸ τὴν τῆς φύσεως... ἐπανορθοῦσθαι**, i.e. that natural and moral deformities should be set right by conferring public honours.

5. **εἴ τις...ἀφέλοιτο**, i.e. *if he should lose the right to say this.*

6. **τίνος ἄλλου ἔστ' ἄξιος**; *what else is he good for?*

§ **173.** 2. **ταμιεύσας** = *ταμίας γενόμενος*, while *ταμιεύων* (§ 174[2]) = *ταμίας ὤν.*

3. **Κυζικηνῶν ἥρπασε**: this is not otherwise known; the Scholia give no help.

5. **σύμβολα**, treaties between allied or friendly states, regulating commerce and the trial of lawsuits.

7. **θεὶς νόμους**: *by getting laws enacted.* As hipparch, he could easily procure the enactment of laws of which he was not the mover.

8. **τεθηκέναι**: see note on § 49[6].

§ **174.** 2. **τὴν ἐπὶ Θηβαίους**: in 357 B.C. (§ 161[1]).

5. **οὐκ ἐβοήθησεν**, *he did not give you this help.*

7. **ἡττᾶτο πλέων**, *he was beaten in speed.*

8. **ἱππαρχῶν τοίνυν, τί οἴεσθε ἄλλα**; a broken sentence, meaning "hipparch forsooth! hear this story, and then see what you think of the rest!"

νυν, τί οἴεσθε τἄλλα; ἀλλ' ἵππον, ἵππον οὐκ ἐτόλμησεν ὁ λαμπρὸς καὶ πλούσιος οὗτος πρίασθαι, ἀλλ' ἐπ' ἀλλοτρίου τὰς πομπὰς ἡγεῖτο, τοῦ Φιλομήλου τοῦ Παιανιέως ἵππου. καὶ ταῦτα πάντες ἴσασιν οἱ ἱππεῖς. καὶ ὅτι ταῦτ' ἀληθῆ λέγω, κάλει μοι καὶ τούτων μάρτυρας.

ΜΑΡΤΥΡΕΣ.

175 Βούλομαι τοίνυν ὑμῖν, ὦ ἄνδρες Ἀθηναῖοι, καὶ ὅσων ἤδη καταχειροτονήσαντος τοῦ δήμου περὶ τὴν ἑορτὴν ἀδικεῖν ὑμεῖς κατεγνώκατε εἰπεῖν, καὶ δεῖξαι τί πεποιηκότες αὐτῶν ἔνιοι τίνος ὀργῆς τετυχήκασι παρ' ὑμῶν, ἵνα ταῦτα πρὸς τὰ τούτῳ πεπραγμέν' ἀντιθῆτε. πρῶτον μὲν τοίνυν, ἵνα πρώτης τῆς τελευταίας γεγονυίας μνησθῶ καταγνώσεως, περὶ τὰ μυστήρι' ἀδικεῖν Εὐάνδρου κατεχειροτόνησεν ὁ δῆμος τοῦ Θεσπιέως, προβαλομένου αὐτὸν Μενίππου, Καρός τινος ἀνθρώπου. ἔστι δ' ὁ αὐτὸς νόμος τῷδε τῷ περὶ τῶν Διονυσίων ὁ περὶ τῶν μυστηρίων, κἀκεῖνος ὕστερος τοῦδ' **176** ἐτέθη. τί οὖν ποιήσαντος, ὦ ἄνδρες Ἀθηναῖοι, κατεχειροτονήσατε τοῦ Εὐάνδρου; τοῦτ' ἀκούσατε· ὅτι δίκην ἐμπο-

10. πριᾶσθαι Σ, O. 11. ἡγεῖτο Σ, vulg.; ἐποιεῖτο Σ γρ. 12. καὶ ταῦτα ἐξιόντων Σ, P, Y, O. συνιππεῖς A. καὶ (before ὅτι) Σ, P, Y, O; ἀλλὰ μὴν vulg. 13. μάρτυρας Σ, F, P, Y, O; τοὺς μάρτυρας vulg.

§ **175.** 3. αὐτῶν om. A. 4. ἵν' αὐτὰ A, F. 5. τιθῆτε P, Y, O. 6. πρῶτον A. γενονυίης Σ. 8. προβαλομένου Σ, F, B; προβαλλομένου vulg.

9. **οὐκ ἐτόλμησεν πρίασθαι**, *he did not venture even to buy a horse* (from sheer ignorance).

11. **πομπὰς ἡγεῖτο**, *he led* (the way in) *the processions*: Weil makes this accusative cognate, as in τὴν ὁδὸν ἡγεῖσθαι. But ἐξηγοῦμαι takes the accusative regularly, as in Thuc. vi. 85, 2, τοὺς ἑκεῖ ξυμμάχους ἐξηγούμεθα.

§§ **175—183.** (*Comparison of Midias with other offenders.*)

§ **175.** 1. **καὶ** corresponds to καὶ before δεῖξαι (3).—**ὅσων** depends on both καταχειροτονήσαντος and κατεγνώκατε.

2. **καταχειροτονήσαντος...ἀδικεῖν**: i.e. after the people had condemned them by a καταχειροτονία for an offence concerning the festival (cf. § 1[5]).

6. **καταγνώσεως** is the judgment of the court upon the προβολή, not the vote of the people: cf. κατεγνώκατε (3).

8. **Καρός τινος ἀνθρώπου**: this is generally taken to mean that Menippus was a Carian by birth. But the disparaging form of expression, τινος ἀνθρώπου, suggests the possibility of Καρός being used for *an insignificant fellow*, as in the proverbial expression ἐν Καρὶ κινδυνεύειν, *experimentum facere in corpore vili*: see Eur. Cycl. 654, ἐν τῷ Καρὶ κινδυνεύομεν, Plat. Lach. 187 B (with the Schol.), Euthyd. 285 C. The serious objection to this is that this use of Κάρ is confined, in classical Greek, to the proverbial expressions above cited. The Scholia recognize only the reference to a foreigner: ὑπερβολὴ ὅτι καὶ ξένος ἦν ὁ προβαλλόμενος καὶ ὅμως οὐ παρημέληται.

9. **ὁ αὐτὸς νόμος τῷδε**: see §§ 10, 11.

§ **176.** 2. **δίκην...Μενίππου**, *having gained a mercantile suit against Menippus.*

ρικὴν καταδικασάμενος τοῦ Μενίππου, οὐκ ἔχων πρότερον
λαβεῖν αὐτὸν, ὡς ἔφη, τοῖς μυστηρίοις ἐπιδημοῦντος ἐπε-
λάβετο. κατεχειροτονήσατε μὲν διὰ ταῦτα, καὶ οὐδ' ὁτιοῦν 5
ἄλλο προσῆν· εἰσελθόντα δ' εἰς τὸ δικαστήριον ἠβούλεσθε
μὲν θανάτῳ κολάσαι, τοῦ δὲ προβαλομένου πεισθέντος τὴν
δίκην τε πᾶσαν ἀφεῖναι ἠναγκάσατ' αὐτὸν, ἣν ἠρήκει πρό-
τερον (ἦν δὲ δυοῖν αὗτη ταλάντοιν), καὶ προσετιμήσατε τὰς
572 βλάβας, ἃς ἐπὶ τῇ καταχειροτονίᾳ μένων ἐλογίζεθ' αὑτῷ 10
γεγενῆσθαι πρὸς ὑμᾶς ἄνθρωπος. εἷς μὲν οὗτος ἐξ ἰδίου **177**
πράγματος, οὐδεμιᾶς ὕβρεως προσούσης, ὑπὲρ αὐτοῦ τοῦ
παραβῆναι τὸν νόμον τοσαύτην ἔδωκε δίκην. εἰκότως·
τοῦτο γάρ ἐσθ' ὃ φυλάττειν ὑμᾶς δεῖ, τοὺς νόμους, τὸν
ὅρκον. ταῦτ' ἔχεθ' ὑμεῖς οἱ δικάζοντες ἀεὶ παρὰ τῶν ἄλλων 5
ὥσπερεὶ παρακαταθήκην, ἣν ἅπασιν, ὅσοι μετὰ τοῦ δικαίου
πρὸς ὑμᾶς ἔρχονται, σῶν ὑπάρχειν δεῖ. ἕτερος ἀδικεῖν **178**
ποτ' ἔδοξεν ὑμῖν περὶ τὰ Διονύσια, καὶ κατεχειροτονήσατ'
αὐτοῦ παρεδρεύοντος ἄρχοντι τῷ υἱεῖ, ὅτι θέαν τινὸς κατα-

§ **176.** 6. ἠβούλεσθε Σ, Y, O; ἐβούλεσθε F, P. 7. θανάτῳ ζημιῶσαι F. 8. τε om. Σ^2, F, O. εἰρήκει A, P, Y, O. 11. ἄνθρωπος MSS.; ἄνθρωπος Bekker.

§ **177.** 6. ὥσπερ O. 7. σῶν Σ^1, A; σῴαν Σ^2, vulg.

§ **178.** 3, 4. καταλαβόντος A.

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5. **οὐδ' ὁτιοῦν ἄλλο προσῆν**, *there was nothing (else)* to aggravate the offence (of arresting a mere foreigner at the Mysteries): cf. § 177[2].

7. **πεισθέντος**, *moved to mercy*, so as to withdraw what was probably his own proposal to punish Evander by death. This seems to have left the whole decision of the penalty in the hands of the court, and they compelled Evander to return the damages (2 talents) which had been awarded him in the mercantile suit (2), and they further condemned him to pay the loss which Menippus claimed that he had sustained by being forced to remain in Athens until the προβολή could be tried in court. The law allowed the court in certain cases thus to inflict a προστίμημα, *additional penalty*, besides the regular one prescribed by law or demanded by the plaintiff. See Meier and Schömann, p. 219. In this case there may have been something exceptional in the action of the court, as it was a case of προβολή. See § 152[4]. See Appendix VI. § 15.

10. **ἐπὶ τῇ καταχειροτονίᾳ**, i.e. *to carry out the vote of the people* by bringing the προβολή to trial.

11. **πρὸς ὑμᾶς**, *out of regard for you*, the people who passed the καταχειροτονία. —**ἄνθρωπος** is disparaging (cf. § 175[8]).

§ **177.** 1. **ἰδίου**, *personal* (not public).

2. **αὐτοῦ**, *merely*.

4. **τοὺς νόμους**: in the case of δ.

5. **ἀεὶ**: with ἔχηθ'.

§ **178.** 3. **παρεδρεύοντος**: the three higher archons had each two πάρεδροι: see Arist. Const. Ath. § 56[1], λαμβάνουσι δὲ καὶ παρέδρους ὅ τε ἄρχων καὶ ὁ βασιλεὺς καὶ ὁ πολέμαρχος, δύο ἕκαστος. Here the father as πάρεδρος was sitting by the side of the Archon, who was his son, in the Assembly when the καταχειροτονία

λαμβάνοντος ἥψατο, ἐξείργων ἐκ τοῦ θεάτρου· ἦν δ' οὗτος
179 ὁ τοῦ βελτίστου πατὴρ Χαρικλείδου, τοῦ ἄρξαντος. καὶ
μέγα γ' ὑμῖν τοῦτ' ἐδόκει δίκαιον ἔχειν ὁ προβαλλόμενος
λέγειν, "εἰ κατελάμβανον, ἄνθρωπε, θέαν, εἰ μὴ τοῖς κη-
ρύγμασιν, ὡς σύ με φῂς, ἐπειθόμην, τίνος ἐκ τῶν νόμων
5 εἶ κύριος, καὶ ὁ ἄρχων αὐτός; τοῖς ὑπηρέταις ἐξείργειν
εἰπεῖν, οὐκ αὐτὸς τύπτειν. οὐδ' οὕτω πείθομαι· ἐπιβολὴν
ἐπιβάλλειν, πάντα μᾶλλον πλὴν αὐτὸς ἅψασθαι τῇ χειρί·
πολλὰ γὰρ πρὸ τοῦ μὴ τὸ σῶμ' ἕκαστον ὑβρίζεσθαι πεποιή-
κασιν οἱ νόμοι." ταῦτ' ἔλεγε μὲν ἐκεῖνος, ἐχειροτονήσατε
10 δ' ὑμεῖς· οὐ μὴν εἰσῆλθεν εἰς τὸ δικαστήριον οὗτος, ἀλλ'
180 ἐτελεύτησε πρότερον. ἑτέρου τοίνυν ὅ τε δῆμος ἅπας κατε-
χειροτόνησεν ἀδικεῖν περὶ τὴν ἑορτήν, καὶ ὑμεῖς εἰσελθόντ'
ἀπεκτείνατε τοῦτον, Κτησικλέα, ὅτι σκῦτος ἔχων ἐπόμπευε,

§ **179.** 2. δίκαιον A; τὸ δίκαιον Σ, vulg. προβαλλόμενος Σ, P, O; προβαλ-
μενος vulg. 3. ἄνθρωπε, θέαν, om. A. 4. με φῂς Σ, vulg.; μ' ἔφης Y, O;
φῂς A. 6. ἐπιβολὴν ζημίαν P. 7. μᾶλλον om. A. 8. πρὸ τοῦ Σ, A,
P, Y, O; πρὸς τὸ vulg. 9. ἐχειροτονήσατε Σ; κατεχειρ. vulg. 11. ἐτελεύ-
τησεν Σ.

§ **180.** 3. τοῦτον, Κτησικλέα, ὅτι Σ; Σ γρ. has Κτησικλέα λέγω, διὰ τί δὴ
ἀπεκτείνατε τοῦτον; ὅτι σκῦτος ἔχων, which (with slight variations) is the former
vulgate after εἰσελθόντα ἀπεκτείνατε (see Dobson). 3, 4. ἐπόμπευεν...ἐπάταξεν Σ.

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was passed against him.—**ὅτι θέαν ... ἥψατο**: the πάρεδρος laid hands on him for taking a seat to which he was not entitled, and put him out of the theatre.

5. **τοῦ ἄρξαντος**: Chariclides was Archon in 363 B.C.

§ **179.** 2. **μέγα γ' ὑμῖν...λέγειν**, *you thought that he had a strong plea of justice to urge in this* (τοῦτ'), λέγειν depending on ἔχειν.

3. **εἰ μὴ...ἐπειθόμην**: we should expect μὴ πειθόμενος, *in disobedience to the public notices.*

4. **τίνος...αὐτός**; i.e. *what right do the laws give you or even the Archon himself?*

6. **εἰπεῖν**: sc. κύριος εἶ.—**οὐκ αὐτὸς τύπτειν**, *but not to assault me yourself.*—**οὐδ' οὕτω πείθομαι** (the προβαλλόμενος is supposed to say); i.e. supposing I refuse to obey your servants and to leave the theatre?—**ἐπιβολὴν ἐπιβάλλειν**: sc. κύριος εἶ. The πάρεδρος, as the representative of the Archon, might *impose a fine* on the spot (Meier and Schömann, p. 72): every magistrate could impose fines to a limited extent by his own authority. See Aeschin. iii. 27 (of Demosthenes), ἐπιβολὰς ἐπέβαλλε, καθάπερ οἱ ἄλλοι ἄρχοντες.

8. **πρὸ τοῦ μὴ...ὑβρίζεσθαι**, *to prevent each citizen from being insulted in his person.* μὴ strengthens the negation implied in πρό, which has the idea of *preventing*. Cf. κωλύματα μὴ αὐξηθῆναι, *what prevented them from increasing*, Thuc. i. 16.

9. **ἐχειροτονήσατε**, simply *voted* on the προβολή: he has already (§ 178²) said κατεχειροτονήσατε.

10. **οὐ μὴν εἰσῆλθεν**, i.e. with the προβολή.

§ **180.** 2. **εἰσελθόντ' ἀπεκτείνατε**, *you* (the court) *condemned him to death* when the προβολή came before you for trial: ὑμεῖς is opposed to ὁ δῆμος.

3. **σκῦτος**, *a whip made of hide.*

καὶ τούτῳ μεθύων ἐπάταξέ τιν' ἐχθρὸν ὑπάρχονθ' ἑαυτῷ·
573 ἐδόκει γὰρ ὕβρει καὶ οὐκ οἴνῳ τύπτειν, ἀλλὰ τὴν ἐπὶ τῆς 5
πομπῆς καὶ τοῦ μεθύειν πρόφασιν λαβὼν ἀδικεῖν, ὡς δούλοις χρώμενος τοῖς ἐλευθέροις. ἁπάντων τοίνυν, ὦ ἄνδρες **181**
Ἀθηναῖοι, τούτων, ὧν ὁ μὲν ὢν εἶλεν ἀποστὰς, ὁ δὲ καὶ θανάτῳ ζημιωθεὶς φαίνεται, πολλῷ δεινότερ' εὖ οἶδ' ὅτι πάντες ἂν εἶναι φήσειαν τὰ Μειδίᾳ πεπραγμένα· οὔτε γὰρ πομπεύων οὔτε δίκην ᾑρηκὼς οὔτε παρεδρεύων οὔτ' ἄλλην 5
σκῆψιν οὐδεμίαν ἔχων, πλὴν ὕβριν, τοιαῦτα πεποίηκεν οἷα οὐδεὶς ἐκείνων. καὶ τούτους μὲν ἐάσω· ἀλλὰ Πύρρον, ὦ **182**
ἄνδρες Ἀθηναῖοι, τὸν Ἐτεοβουτάδην, ἐνδειχθέντα δικάζειν ὀφείλοντα τῷ δημοσίῳ, θανάτῳ ζημιῶσαί τινες ὑμῶν ᾤοντο χρῆναι, καὶ τέθνηκεν ἅλοὺς παρ' ὑμῖν· καίτοι τοῦτο τὸ λῆμμα δι' ἔνδειαν, οὐ δι' ὕβριν λαμβάνειν ἐπεχείρησεν 5
ἐκεῖνος. καὶ πολλοὺς ἂν ἑτέρους ἔχοιμι λέγειν, ὧν οἱ μὲν τεθνᾶσιν, οἱ δ' ἠτιμωμένοι διὰ πολλῷ τούτων εἰσὶν ἐλάττω

4. ἑαυτῷ Σ; αὑτῷ vulg. 6. λαμβάνων A.

§ **181.** 2. Second ὧν om. Σ, F, P, Y, O. 3. εὖ om. F. 4. φήσετε A; φήσειαν Σ, vulg.

§ **182.** 1. τούτους μὲν δὴ ἐῶμεν F. 3. θάνατον A. 4. αλουσα (last α struck out) Σ. 6. ἂν om. A. 7. τούτων *not* om. in Σ (see Weil).

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4. **ἐχθρὸν ὑπάρχονθ'** = ὃς ἐχθρὸς ὑπῆρχεν.

5. **τὴν...μεθύειν πρόφασιν**, *the excuse which the festival and his drunkenness offered*: this clause is opposed in sense only to *οὐκ οἴνῳ τύπτειν*.

§ **181.** He sums up the three preceding cases in *ἁπάντων τούτων*, but *ὁ μὲν* and *ὁ δὲ* refer only to the first and the last.

1. **ἁπάντων** (masc.) depends on *δεινότερ'* (3): cf. *κόμαι Χαρίτεσσιν ὁμοῖαι*, Il. xvii. 51.

2. **ὧν εἶλεν ἀποστάς**: see § 176[8].

5. **πομπεύων...παρεδρεύων**: he mentions the licence allowed at a festival, the temptation to arrest a man at the festival whom he could legally arrest elsewhere, and the high official position of a *πάρεδρος* to the Chief Archon, as all wanting in the case of Midias, who has only *ὕβρις* as his motive.

§ **182.** 2. **Ἐτεοβουτάδην**: the Eteobutadae, *genuine descendants of Butes*, of the race of Erechtheus, had charge of the worship of Athena Polias on the Acropolis, and her priestess was chosen from this family. See Aeschin. ii. 147, with the Schol. p. 69[20].—**ἐνδειχθέντα δικάζειν ὀφείλοντα τῷ δημοσίῳ**, *indicted by ἔνδειξις for sitting as a judge when he was in debt to the public treasury*. A defaulter to the state was *ipso facto* *ἄτιμος* and by law forfeited all his civic rights, and therefore could not sit in the Heliastic courts. The summary process called *ἔνδειξις* was specially used to deal with offenders against this law. See Appendix VI. §§ 17, 18.

4. **παρ' ὑμῖν**, *in your court*.—**τοῦτο τὸ λῆμμα**, *this receipt*, i.e. the taking the Heliastic fee of three obols, as if this were the real offence.

7. **τούτων**: sc. *πραγμάτων*, *than these crimes* of Midias.

πράγματα. ὑμεῖς δ', ὦ ἄνδρες Ἀθηναῖοι, Σμίκρῳ δέκα τα-
λάντων ἐτιμήσατε καὶ Σκίτωνι τοσούτων ἑτέρων, δόξαντι
παράνομα γράφειν, καὶ οὔτε παιδί' οὔτε φίλους οὔτε συγ-
183 γενεῖς οὔθ' ὁντινοῦν ἠλεήσατε τῶν παρόντων ἐκείνοις. μὴ
τοίνυν, ἐὰν μὲν εἴπῃ τις παράνομα, οὕτως ὀργιζόμενοι φαί-
νεσθε, ἐὰν δὲ ποιῇ, μὴ λέγῃ, πράως διάκεισθε. οὐδὲν γὰρ
ῥῆμ' οὐδ' ὄνομ' οὕτως ἐστὶ τοῖς πολλοῖς ὑμῶν χαλεπὸν, ὡς
ὅσ' ὑβρίζων τις τὸν ἐντυχόνθ' ὑμῶν διαπράττεται. μὴ
τοίνυν αὐτοὶ καθ' ὑμῶν αὐτῶν δεῖγμα τοιοῦτον ἐξενέγκητ',
ἄνδρες Ἀθηναῖοι, ὡς ἄρα ὑμεῖς, ἐὰν μὲν τῶν μετρίων τινὰ καὶ
δημοτικῶν λάβηθ' ὁτιοῦν ἀδικοῦντα, οὔτ' ἐλεήσετ' οὔτ' ἀφήσετε, ἀλλ' ἀποκτενεῖτ' ἢ ἀτιμώσετε, ἐὰν δὲ πλούσιος ὢν τις 574
ὑβρίζῃ, συγγνώμην ἔξετε. μὴ δῆτα· οὐ γὰρ δίκαιον· ἀλλ'
ἐπὶ πάντων ὁμοίως ὀργιζόμενοι φαίνεσθε.
184 Ἃ τοίνυν οὐδενὸς τῶν εἰρημένων ἧττον ἀναγκαῖον εἶναι
νομίζω πρὸς ὑμᾶς εἰπεῖν, ταῦτ' εἰπὼν ἔτι καὶ βραχέα περὶ

8. ὑμεῖς δ' Σ ; ἔτι τοίνυν ὑμεῖς Σ γρ. ; ἀλλ' ὑμεῖς A ; ὑμεῖς [δ'] Weil. σμίκρω (νι over ω) Σ ; σμικρωνι F. ταλάντ (ν over τ) Σ. 11. ὁντινοῦν ἄλλον F ; ἄλλον οὐδένα A.

§ **183.** 2, 3. ἐὰν...ἐὰν Σ, P, O ; ἂν...ἂν vulg. 3. δ' ἁ (for δὲ) Y, O. 5. ἐντυγχάνοντα A. 7. ὦ ἄνδρες vulg. ; ὦ om. Σ, A, P, O. ἐὰν μὲν A ; ἂν Σ, vulg. 9. ἀποκτείνετε Σ, P, Y, O. ἐὰν Σ, A, P, O ; ἂν vulg. τις om. A. 11. ὁμοίως om. A.

§ **184.** 2. βραχέα om. F, Blass ; after τούτων (3) A.

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9. **ἐτιμήσατε**, *you set his penalty.*—**τοσούτων ἑτέρων**, a similar sum.—**δόξαντι παρανόμα γράφειν**, i.e. when he was convicted on a γραφὴ παρανόμων: for this suit see Essay II. on De Corona. ἔδοξε often means *it was voted, it appeared*, and it began the earlier form of a decree, ἔδοξεν τῇ βουλῇ καὶ τῷ δήμῳ.

11. **τῶν παρόντων ἐκείνοις**, *those who came into court to support them.*

§ **183.** 1. **μὴ** negatives **φαίνεσθε** and διάκεισθε combined.

3. **οὐδὲν ῥῆμ' οὐδ' ὄνομ'**, *no word or name*, i.e. nothing which you can say of a man : complectuntur quicquid loquimur (Schaefer).

5. **τὸν ἐντυχόνθ' ὑμῶν**, *any one of you whom he may meet*, quemvis.—**μὴ... ἐξενέγκητ'**, *do not make such an exhibition of yourselves as this:* cf. Cor. 291[7], δεῖγμα δ' ἐξέφερε καθ' ἑαυτοῦ, followed by ὅτι... ἔσχε.

8. **δημοτικῶν**, *men of popular principles, friends of the people*: see the five marks of a δημότικος in Aeschin. iii. 168—170; and cf. Cor. 6[4] and 122[2].

VII. Epilogue. §§ **184—225.**

§§ **184—188.** (*Caution against appeals of Midias for pity.*)

§ **184.** 2. **καὶ βραχέα...διαλεχθεὶς**, i.e. he will not only state the points (ταῦτ' εἰπὼν) but *briefly discuss* them.

τούτων διαλεχθεὶς καταβήσομαι. ἔστιν, ὦ ἄνδρες Ἀθηναῖοι, μεγάλη τοῖς ἀδικοῦσιν ἅπασι μερὶς καὶ πλεονεξία ἡ τῶν ὑμετέρων τρόπων πραότης. ὅτι δὴ ταύτης οὐδ' ὁτιοῦν ὑμῖν μεταδοῦναι τούτῳ προσήκει, ταῦτ' ἀκούσατέ μου. ἐγὼ νομίζω πάντας ἀνθρώπους ἐράνους φέρειν παρὰ τὸν βίον αὐτοῖς, οὐχὶ τούσδε μόνους οὓς συλλέγουσί τινες καὶ ὧν πληρωταὶ γίγνονται, ἀλλὰ καὶ ἄλλους. οἷον ἔστι μέτριος **185** καὶ φιλάνθρωπός τις ἡμῶν καὶ πολλοὺς ἐλεῶν· τούτῳ ταὐτὸ δίκαιον ὑπάρχειν παρὰ πάντων, ἄν ποτ' εἰς χρείαν καὶ ἀγῶν' ἀφίκηται. ἄλλος οὑτοσί τις ἀναιδὴς καὶ πολλοὺς ὑβρίζων, καὶ τοὺς μὲν πτωχούς, τοὺς δὲ καθάρματα, τοὺς δ' οὐδὲν ὑπολαμβάνων εἶναι· τούτῳ τὰς αὐτὰς δίκαιον ὑπάρχειν φορὰς, ἅσπερ αὐτὸς εἰσενήνοχε τοῖς ἄλλοις. ἂν τοίνυν ὑμῖν ὀρθῶς ἐπίῃ σκοπεῖν, τούτου πληρωτὴν εὑρήσετε Μειδίαν ὄντα τοῦ ἐράνου, καὶ οὐκ ἐκείνου.

Οἶδα τοίνυν ὅτι τὰ παιδί' ἔχων ὀδυρεῖται, καὶ πολλοὺς **186** λόγους καὶ ταπεινοὺς ἐρεῖ, δακρύων καὶ ὡς ἐλεεινότατον ποιῶν ἑαυτόν. ἔστι δ', ὅσῳ περ ἂν αὐτὸν νῦν ταπεινότερον ποιῇ, τοσούτῳ μᾶλλον ἄξιον μισεῖν αὐτὸν, ὦ ἄνδρες Ἀθηναῖοι. διὰ τί; ὅτι εἰ μὲν μηδαμῶς δυνηθεὶς ταπεινὸς γε-

5. δὴ vulg.; δὲ A. 6. Μειδία for τούτῳ A, F. ταῦτ' Σ, P, Y, O; τοῦτ' vulg. 7. εἰσφέρειν A. παρὰ πάντα τὸν A. 8. τούσδε μόνους Σ (corr. from τοὺς δεομένους), vulg.; τοὺς δεομένους Y, O.

§ **185.** 2. φίλανος τις Σ. ὑμῶν A. 3. δίκαιον ὑπάρχειν vulg.; εἰκὸς above line Σ, marg. F.; δίκαιον ὑπάρχειν εἰκὺς A. 6. εἶναι om. A, F. δίκαιόν ἐστι φορὰς ὑπάρχειν A. 8. ὑμῖν ὀρθῶς vulg.; ὀρθῶς above line (beyond σκοπεῖν) Σ. 9. καὶ Σ, P, O; om. vulg.

§ **186.** 1. ὅτι καὶ A, F. 3. ἂν above line Σ; om. P, Y, O. νῦν om. A.

4. **μερὶς**, *portion* or *contribution*: cf. § 70[4]. Here it is what the gentleness of the people towards evil-doers contributes to their power and influence.

5. **ὅτι ... προσήκει, ταῦτ' ἀκούσατέ μου**, i.e. *to show you that*, etc.: cf. Cor. 37[1], ὅτι δ' οὕτω ταῦτ' ἔχει, λέγε μοι κ.τ.λ.

The whole passage from ἐγὼ νομίζω, § 184[6], through § 185 is a repetition, often in the same words, of the thought expressed in § 101. This is a striking indication that the speech was never finally revised by the orator. See remarks on §§ 21[7]—23 in Appendix I.

§ **185.** 5. **καθάρματα**: cf. Cor. 128[2], and Aeschin. iii. 211 (end), κάθαρμα ζηλοτυποῦν ἀρετήν.

§ **186.** 1. **τὰ παιδί' ἔχων**: cf. § 99[1], παιδία παραστήσεται, and § 188[2].

5. **διὰ τί;** he argues that the present humility of M. shows that he can behave like a decent man if he pleases; therefore his past outrages came not from an uncontrollable nature but from his own free choice, so that, if he now escapes, he will return to his own ways. Cf. §§ 128[5–7] and 201[7].

νέσθαι οὕτως ἀσελγὴς καὶ βίαιος ἦν ἐπὶ τοῦ παρεληλυθότος 575
βίου, τῇ φύσει καὶ τῇ τύχῃ, δι' ἣν τοιοῦτος ἐγένετο, ἄξιον
ἦν ἄν τι τῆς ὀργῆς ἀνεῖναι· εἰ δ' ἐπιστάμενος μέτριον παρέ-
χειν ἑαυτὸν ὅταν βούληται, τὸν ἐναντίον ἢ τοῦτον τὸν
τρόπον εἵλετο ζῆν, εὔδηλον δήπου τοῦθ', ὅτι καὶ νῦν ἐὰν
διακρούσηται, πάλιν αὐτὸς ἐκεῖνος ὃν ὑμεῖς ἴστε γενήσεται.
187 οὐ δεῖ δὴ προσέχειν, οὐδὲ τὸν παρόντα καιρὸν, ὃν οὗτος
ἐξεπίτηδες πλάττεται, κυριώτερον οὐδὲ πιστότερον τοῦ
παντὸς, ὃν αὐτοὶ σύνιστε, χρόνου ποιήσασθαι. ἐμοὶ παιδί'
οὐκ ἔστιν, οὐδ' ἂν ἔχοιμι ταῦτα παραστησάμενος κλάειν
καὶ δακρύειν ἐφ' οἷς ὑβρίσθην. διὰ τοῦτ' ἄρα τοῦ πε-
188 ποιηκότος ὁ πεπονθὼς ἔλαττον ἕξω παρ' ὑμῖν; μὴ δῆτα·
ἀλλ' ὅταν οὗτος ἔχων τὰ παιδία τούτοις ἀξιοῖ δοῦναι
τὴν ψῆφον ὑμᾶς, τόθ' ὑμεῖς τοὺς νόμους ἔχοντά με πλη-
σίον ἡγεῖσθε παρεστάναι καὶ τὸν ὅρκον ὃν ὀμωμόκατε,
τούτοις ἀξιοῦντα καὶ ἀντιβολοῦνθ' ἕκαστον ὑμῶν ψηφί-
σασθαι. οἷς ὑμεῖς κατὰ πολλὰ δικαιότερον πρόσθοισθ' ἂν
ἢ τούτῳ· καὶ γὰρ ὀμωμόκατ', ὦ ἄνδρες Ἀθηναῖοι, τοῖς νόμοις

9. ὅταν βούληται om. A, Blass. 10. ἐὰν above line Σ. 11. διακρούσητε Σ. ὁ αὐτὸς A; αὐτὸς Σ; αὐτὸς Cobet.

§ **187.** 2. οὐδὲ πιστότερον om. A. 5. ταῦτ' A.

§ **188.** 6. προσθοῖσθ' Σ.

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7. **τῇ φύσει...ἀνεῖναι**, *to make some concession to his nature* etc.

11. **αὐτὸς ἐκεῖνος** (pred.), *the self-same man*.

§ **187.** 1. **προσέχειν** (sc. τὸν νοῦν), *animum advertere, to regard* what he says.—**τὸν παρόντα καιρὸν**, what he expressly invents as "the present crisis" in his life, for which he claims special sympathy. This pretended καιρός is contrasted with the whole period of his past life (τοῦ παντὸς χρόνου), with which the people are well acquainted.

3. **ἐμοὶ παιδί' οὐκ ἔστιν**: Demosthenes is said to have left two sons: his only daughter died young (παῖς ἔτ' οὖσα) at about the time of Philip's death (summer of 336 B.C.): see Vit. X. Orat. 847; Aeschin. iii. 77.

4. **κλάειν καὶ δακρύειν**, i.e. *to weep over them* (as M. will do).

6. **ἔλαττον ἕξω**: cf. ἐλασσούμενοι, Thuc. i. 77.

§ **188.** 2. **τούτοις δοῦναι τὴν ψῆφον**, to give them (his children) *your votes*, i.e. to vote for the father for their sake: cf. τούτοις (5), *the laws and your oath*, which Dem. represents himself as bringing before the court, as M. will bring his children.

4. **παρεστάναι** is *to stand before you*, as ταῦτα παραστησάμενος (mid.) is *placing by his own side*: cf. Aeschin. iii. 154[7].

6. **πρόσθοισθ' ἄν**, *you would take their part* (for the form see Blass-Kühner, § 282, Anm. 5).

πείθεσθαι, καὶ τῶν ἴσων μέτεστιν ὑμῖν διὰ τοὺς νόμους, καὶ πάνθ' ὅσ' ἐστὶν ἀγάθ' ὑμῖν διὰ τοὺς νόμους ἐστίν, οὐ διὰ Μειδίαν οὐδὲ διὰ τοὺς Μειδίου παῖδας.

Καὶ "ῥήτωρ ἐστὶν οὗτος" ἴσως ἐμὲ φήσει λέγων. ἐγὼ **189** δ', εἰ μὲν ὁ συμβουλεύων ὅ τι ἂν συμφέρειν ὑμῖν ἡγῆται, καὶ τοῦτ' ἄχρι τοῦ μηδὲν ὑμῖν ἐνοχλεῖν μηδὲ βιάζεσθαι, ῥήτωρ ἐστίν, οὔτε φύγοιμ' ἂν οὔτ' ἀπαρνοῦμαι τοῦτο τοὔνομα· εἰ μέντοι ῥήτωρ ἐστὶν οἵους ἐνίους τῶν λεγόντων
576 ἐγὼ καὶ ὑμεῖς δ' ὁρᾶτε, ἀναιδεῖς καὶ ἀφ' ὑμῶν πεπλουτηκότας, οὐκ ἂν εἴην οὗτος ἐγώ· εἴληφα μὲν γὰρ οὐδ' ὁτιοῦν παρ' ὑμῶν, τὰ δὲ ὄντ' εἰς ὑμᾶς πλὴν πάνυ μικρῶν ἅπαντ' ἀνήλωκα. καίτοι καὶ εἰ τούτων ἦν πονηρότατος, κατὰ τοὺς νόμους ἔδει παρ' ἐμοῦ δίκην λαμβάνειν, οὐκ ἐφ' οἷς ἐλητούργουν ὑβρίζειν. ἔτι τοίνυν οὐδὲ εἷς ἐστιν ὅστις ἐμοὶ τῶν **190** λεγόντων συναγωνίζεται. καὶ οὐδενὶ μέμφομαι· οὐδὲ γὰρ αὐτὸς οὐδενὸς ἕνεκα τούτων οὐδὲν ἐν ὑμῖν πώποτ' εἶπον, ἀλλ' ἁπλῶς κατ' ἐμαυτὸν ἔγνων καὶ λέγειν καὶ πράττειν ὅ τι ἂν συμφέρειν ὑμῖν ἡγῶμαι. ἀλλὰ τούτῳ πάντας αὐτίκα

§§ **189, 190** doubly obelized in F, B.

§§ **191, 192** obelized in F, B.

§ **189.** 2. *ἡγῶμαι* A, F *γρ.* 6. *ἀφ'* Cobet (see note below), Blass; *ὑφ'* Σ, Dind.; *ἐξ* vulg. 9. *εἰ καὶ* A, F; *καὶ* om. O.

§ **190.** 1. *οὐδὲ εἷς* Σ, P; *οὐδεὶς* vulg. 2. *οὔτε γὰρ* A. 3. *αὐτὸ* (with later *s* added) Σ. *ἕνεκα* Σ. *ἐν* above line Σ. 4. *ἁπλῶς* vulg.; *ὅπως* Σ, P, Y, O. 5. *ὅ τι ἂν συμφέρει* Σ^1 (with late *ν* added in line); *συμφέρειν* A; *συμφέρον* vulg.

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8. **πείθεσθαι**: while the future infin. is the regular and more common form after verbs of *swearing*, the present and the aorist are allowed: cf. xxiii. 170, *ὁμόσαι εἶναι μὲν τὴν ἀρχὴν κοινὴν πάντας δ' ὑμῖν ἀποδοῦναι τὴν χώραν* (M.T. 136, end).

§§ **189—192.** (*Talk of Midias about Orators.*)

§ **189.** 1. **ἐμὲ λέγων**, *referring to me.* 3. **ἄχρι τοῦ...βιάζεσθαι**, i.e. *without going so far as to be offensive to you or to force you* (*to action*): cf. xix. 206 (end), *οὐδὲν γὰρ πώποτ' οὔτ' ἠνώχλησα οὔτε μὴ βουλομένους ὑμᾶς βεβίασμαι.*

6. **ἐγὼ καὶ ὑμεῖς δὲ**, *I and you also* (*καί*): cf. § 126[3].—**ἀφ' ὑμῶν**, *at your expense*: cf. xxiv. 124, *ἐκ πενήτων πλούσιοι ἀπὸ τῆς πόλεως γεγενημένοι*, and li. 14, *ἀπὸ τῶν κοινῶν πλουτήσειν*, with Photius and Suidas s.v. *ῥήτωρ.* In 8 we have *εἴληφα παρ' ὑμῶν.*

7. **οὐκ ἂν εἴην οὗτος ἐγώ**, *I should not answer this description.*

10. **ἐφ' οἷς ἐλητούργουν**: cf. § 126[1], *ὅσα εἰς τὴν λητουργίαν...ὑβρίσθην.*

§ **190.** 1. **οὐδὲ εἷς...συναγωνίζεται**: a supposed charge of Midias, that none of the orators appeared in support of Demosthenes at the trial.

3. **οὐδὲν πώποτ' εἶπον**: aorists with such words as *πώποτε, ἤδη*, and *πολλάκις* form a simple transition from the ordinary to the gnomic aorist: see iv. 51[1]. *ἔγνων* (4) is fully gnomic and is followed by the subjunctive, *ὅ τι ἂν ἡγῶμαι.*

δὴ μάλα συνεξεταζομένους τοὺς ῥήτορας ὄψεσθ' ἐφεξῆς. καίτοι πῶς ἐστι δίκαιον τοὔνομα μὲν τοῦθ' ὡς ὄνειδος προφέρειν ἐμοί, διὰ τούτων δ' αὐτὸν τῶν ἀνδρῶν ἀξιοῦν σωθῆναι;

191 Τάχα τοίνυν ἴσως καὶ τὰ τοιαῦτ' ἐρεῖ, ὡς ἐσκεμμένα καὶ παρεσκευασμένα πάντα λέγω νῦν. ἐγὼ δ' ἐσκέφθαι μέν, ὦ ἄνδρες Ἀθηναῖοι, φημὶ καὶ οὐκ ἂν ἀρνηθείην, καὶ μεμελετηκέναι γ' ὡς ἐνῆν μάλιστ' ἐμοί· καὶ γὰρ ἂν ἄθλιος ἦν, εἰ τοιαῦτα παθὼν καὶ πάσχων ἠμέλουν ὧν περὶ τούτων ἐρεῖν ἔμελλον πρὸς ὑμᾶς· γεγραφέναι μέντοι μοι τὸν λόγον **192** Μειδίαν· ὁ γὰρ τὰ ἔργα παρεσχηκὼς περὶ ὧν εἰσιν οἱ λόγοι δικαιότατ' ἂν ταύτην ἔχοι τὴν αἰτίαν, οὐχ ὁ ἐσκεμμένος οὐδ' ὁ μεριμνήσας τὰ δίκαια λέγειν νῦν. ἐγὼ μὲν οὖν τοῦτο ποιῶ, ὦ ἄνδρες Ἀθηναῖοι, καὶ αὐτὸς ὁμολογῶ· Μειδίαν μέντοι μηδὲν ἐσκέφθαι ποτ' ἐν παντὶ τῷ βίῳ δίκαιον εἰκός ἐστιν· εἰ γὰρ καὶ κατὰ μικρὸν ἐπῄει τὰ τοιαῦτ' αὐτῷ σκοπεῖν, οὐκ ἂν τοσοῦτον διημάρτανε τοῦ πράγματος.

193 Οἶμαι τοίνυν αὐτὸν οὐδὲ τοῦ δήμου κατηγορεῖν ὀκνήσειν οὐδὲ τῆς ἐκκλησίας, ἀλλ' ἅπερ τότ' ἐτόλμα λέγειν ὅτ' 577

6. ἐξεταζομένους A. 8. ἐμοὶ om. Σ, A. αὐτὸν Σ.

§ **191.** 1. τὰ om. P, Y. 3. ἂν ἀρνηθείην Σ γρ., vulg.; ἀπαρνηθείην Σ (text), P, Y, O. 6. γεγράφθαι O.

§ **192.** 2. δικαιότατ' ἂν (τα above line) Σ. 3. τὰ om. O. νῦν bracketed by Weil. 5. ποτε Σ, P, Y, O; πώποτε vulg. 6. ἐπῆν F. 7. τοσοῦτον διημαρτάνει Σ (διημαρτανε γρ.); τοσοῦτο διήμαρτε A.

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6. **συνεξεταζομένους**: see § 127[6] and note, and § 161[5].

7. **τοὔνομα**, *the name* of ῥήτωρ.

8. **προφέρειν ἐμοί**, *to reproach me with*. King quotes Il. iii. 64, and Cor. 252[4], ὅστις ἄνθρωπος ὢν ἀνθρώπῳ τύχην προφέρει.—**διὰ τούτων**: i.e. τῶν ῥητόρων. —**αὐτὸν**: Midias himself.

§ **191.** 1. **ἐσκεμμένα καὶ παρεσκευασμένα**, *thought out and prepared beforehand*. ἔσκεμμαι as passive is uncommon: but ἐσκέφθαι is passive in xx. 54. We have the middle in line 2 and in § 192[2, 5]. See Veitch.

2. **ἐσκέφθαι**: sc. ἐμέ.

6. **γεγραφέναι** ..**Μειδίαν** (sc. φημί), *I declare that Midias is the real author of my speech*, by supplying me with my material. γεγραφέναι μέντοι is correlative to ἐσκέφθαι μέν (2).

§ **192.** 1. **τὰ ἔργα**...**οἱ λόγοι**: cf. Soph. Elect. 625, τὰ δ' ἔργα τοὺς λόγους εὑρίσκεται.

2. **ταύτην τὴν αἰτίαν**, i.e. *the charge* of composing the speech carefully.

6. **εἰ ἐπῄει αὐτῷ**, *if it had ever come into his head*: cf. Plat. Rep. 557 E, ἐὰν αὐτῷ σοι ἐπίῃ.—**κατὰ μικρὸν**: with σκοπεῖν.

§§ **193—204.** (*Calumnies of Midias against the people of Athens.*)

§ **193.** 1, 2. **τοῦ δήμου**, *the people* (generally); τῆς ἐκκλησίας, *the public Assembly* (officially), here the one which condemned Midias on the προβολή (ὅτ' ἦν ἡ προβολή).

ἦν ἡ προβολὴ, ταῦτα καὶ νῦν ἐρεῖν, ὡς ὅσοι δέον ἐξιέναι κατέμενον καὶ ὅσοι τὰ φρούρι' ἦσαν ἔρημα λελοιπότες, ἐξεκλησίασαν, καὶ χορευταὶ καὶ ξένοι καὶ τοιοῦτοί τινες ἦσαν οἳ κατεχειροτόνησαν αὐτοῦ. εἰς γὰρ τοῦτο θράσους **194** καὶ ἀναιδείας τότ' ἀφίκετ', ὦ ἄνδρες δικασταὶ, ὡς ἴσασιν ὅσοι παρῆσαν ὑμῶν, ὥστε κακῶς λέγων καὶ ἀπειλῶν καὶ βλέπων εἰς τὸν ἀεὶ θορυβοῦντα τόπον τῆς ἐκκλησίας καταπλήξειν ᾤετο τὸν δῆμον ἅπαντα. ἦ καὶ γελοῖ' εἶναι τὰ νῦν, οἶμαι, δάκρυ' εἰκότως ἂν αὐτοῦ δοκοίη. τί λέγεις, **195** ὦ μιαρὰ κεφαλή; σὺ τὰ σαυτοῦ παιδί' ἀξιώσεις ἐλεεῖν ἢ σὲ τούσδε, ἢ σπουδάζειν εἰς τὰ σὰ, τοὺς ὑπὸ σοῦ δημοσίᾳ προπεπηλακισμένους; σὺ μόνος τῶν ὄντων ἀνθρώπων ἐπὶ μὲν τοῦ βίου τοσαύτης ὑπερηφανίας πλήρης ὢν πάντων ἀνθρώπων ἔσει φανερώτατος, ὥστε καὶ πρὸς οὓς μηδέν ἐστί σοι πρᾶγμα λυπεῖσθαι τὴν σὴν θρασύτητα καὶ φωνὴν καὶ

§ **193.** 3. *ἐρεῖν* A; *ἐρεῖ* Σ, vulg. 4. *ἔρημα* om. A. 5. *ἐξεκλησίασαν* Σ (second *ε* over erasure, perhaps orig. *ἐκκ.*); *ἐξεκκλησίασαν* P, Y, O, F (*ζον* over *σαν*); *ἐκκλησίαζον* A. (See note below.)

§ **194.** 2. *ἀφίκτο* A. 4. *βλέπων οὗτος* A, F, Y. 6. *οἶμαι* om. A.

§ **195.** 5. *ὑπερηφανίας* Σ; *ὑπερηφανίας καὶ τοσαύτης ὑπεροψίας* P, Y, O (without *τοσαύτης* vulg.). *πλήρης* Σ; *μεστὸς* A, vulg. *πάντων ἀνθρώπων* MSS.; bracketed by Blass and King. 6. *ἔσει* Σ; *ἔσῃ* vulg.

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3. **δέον ἐξιέναι** (=*ὅτε ἔδει ἐξιέναι*): Midias implied that the body which condemned him was made up chiefly of men who ought to have been at the war in Euboea or on guard in the forts in Attica (*τὰ φρούρια*).

5. **ἐξεκλησίασαν**: irregular aor. of *ἐκκλησιάζω*, formed as if the compound were *ἐκ-κλησιάζω*. Other cases of this false analogy are *παρανομέω*, *παρηνόμουν* etc., *κατηγορέω*, *κατηγόρουν*, and *κατεδιήτησεν*, *ἀποδεδιητημένην* in §§ 84[7] and 96[5] (above). *Ἐξεκλησίαζον* is well supported, as in Xen. Hell. v. 3, 16, Lys. xiii. 73, 76 (see Veitch); but we have the regular *ἠκκλησίαζον* in Dem. Cor. 265 and xix. 60. In the aorist we have *ἐξεκλησίασαν* (v.l. *ἐξεκκλησίασαν*) in Thuc. viii. 93 (see Hude), and it is safe to retain this here. See Catal. of Verbs in Blass-Kühner, I. 2.—**χορευταὶ**: see § 15[1]. —**ξένοι**: these must have been naturalized foreigners. See Andoc. ii. 23, *ὁρῶ δὲ ὑμᾶς πολλάκις καὶ δούλοις ἀνθρώποις καὶ ξένοις παντοδαποῖς πολιτείαν διδόντας*, and Dem. xxiii. 199, 200.

§ **194.** 4. **βλέπων...τόπον**, i.e. with significant glances towards any part of the Assembly in which he saw disturbances likely to break out.—**ἀεὶ**, *from time to time.*

§ **195.** 3. **σπουδάζειν εἰς τὰ σὰ**: in § 2[2] we have *ἐσπούδασεν ἐφ' οἷς*, and in xxii. 76, *πρὸς χρημάτων κτῆσιν σπουδάζειν*.

4—10. **σὺ μόνος ... ἐλεηθήσει**; the sense is (omitting *ὥστε...θεωροῦντας*) *are you the only man living, who in his ordinary life is to show himself most plainly filled with such enormous haughtiness,...and then, when he is put on trial, is to become all at once an object of pity?* *ἐπὶ μὲν τοῦ βίου* (4) corresponds to *ἐν δὲ τῷ κρίνεσθαι* (9). *πλήρης ὤν* depends in *or. obl.* on *φανερώτατος* (M.T. 907).

7. The omitted antecedent of *οὓς* (6) is subject of *λυπεῖσθαι*.

τὸ σχῆμα καὶ τοὺς σοὺς ἀκολούθους καὶ πλοῦτον καὶ
ὕβριν θεωροῦντας, ἐν δὲ τῷ κρίνεσθαι παραχρῆμ' ἐλεη-
196 θήσει; μεγάλην μέντἂν ἀρχὴν—μᾶλλον δὲ τέχνην—εἶης
εὑρηκὼς, εἰ δύο τἀναντιώταθ' ἑαυτοῖς ἐν οὕτω βραχεῖ χρόνῳ
περὶ σεαυτὸν δύναιο ποιεῖσθαι, φθόνον ἐξ ὧν ζῇς, καὶ ἐφ'
οἷς ἐξαπατᾷς ἔλεον. οὐκ ἔστιν οὐδαμόθεν σοι προσήκων
5 ἔλεος οὐδὲ καθ' ἓν, ἀλλὰ τοὐναντίον μῖσος καὶ φθόνος καὶ
ὀργή· τούτων γὰρ ἄξια ποιεῖς. ἀλλ' ἐπ' ἐκεῖν' ἐπάνειμι,
197 ὅτι τοῦ δήμου κατηγορήσει καὶ τῆς ἐκκλησίας. ὅταν οὖν 578
τοῦτο ποιῇ, ἐνθυμεῖσθε παρ' ὑμῖν αὐτοῖς, ἄνδρες δικασταὶ,
ὅτι οὗτος τῶν μεθ' ἑαυτοῦ στρατευσαμένων ἱππέων, ὅτε εἰς
Ὄλυνθον διέβησαν, ἐλθὼν πρὸς ὑμᾶς εἰς τὴν ἐκκλησίαν κατ-
5 ηγόρει. πάλιν νῦν μείνας πρὸς τοὺς ἐξεληλυθότας τοῦ δήμου
κατηγορήσει. πότερον οὖν ὑμεῖς, ἐάν τε μένητε ἐάν τ' ἐξίητε,
ὁμολογήσετ' εἶναι τοιοῦτοι οἵους Μειδίας ὑμᾶς ἀποφαίνει,
ἢ τοὐναντίον τοῦτον ἀεὶ πανταχοῦ θεοῖς ἐχθρὸν καὶ βδελυ-
ρόν; ἐγὼ μὲν οἶμαι τοῦτον τοιοῦτον· ὃν γὰρ οὐχ ἱππεῖς,
10 οὐ συνάρχοντες, οὐ φίλοι δύνανται φέρειν, τί τοῦτον εἴπῃ

8. *τὸ σχῆμα* Σ, P, Y, O ; *τὸ σὸν σχῆμα* vulg.; *τὸ* bracketed by Weil. 9. *κρίνεσθαί σε* A. *ἐλεηθήσει* Σ ; *ἐλεηθήσῃ* vulg.

§ **196.** 1. *εἶης* Σ ; *εἴης ἂν* vulg. 2. *ἐν* om. P, Y, O. *οὕτω* Σ, vulg.; *τῷ* A. 3. *σεαυτὸν* Σ ; *σαυτὸν* vulg. *ποιήσασθαι* F. *ἐφ' οἷς* for *ἐξ ὧν* A.

§§ **197**[9]—**199**[4] (*δν γὰρ...θεωρήσαιτε*) obelized in F, B.

§ **197.** 6. *ἐάν...ἐάν* Σ, P, O ; *ἄν...ἄν* vulg. 8. *ἀεὶ καὶ* F. 10. *ἂν εἴποι τις* F.

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§ **196.** 1. **ἀρχὴν—μᾶλλον δὲ τέχνην**, *power—or rather skill.*

3. **περὶ σεαυτὸν ποιεῖσθαι**, *to secure* (*cause to be felt*) *for yourself.*—**ἐφ' οἷς ἐξαπατᾷς**, *for your deceitful hypocrisy* (*your hypocritical lamentations*) : ἐξαπατᾷς is conative. Cf. *ἐξαπατῶν ὀδύρηται*, § 204[4].

6. **ἐπ' ἐκεῖν' ἐπάνειμι**, *I will return to my point:* cf. Cor. 66[1], *ἐκεῖσ' ἐπανέρχομαι.*

§ **197.** 3—6. **ὅτι οὗτος...κατηγορήσει** : i.e. when a part of the Athenian cavalry which served with him in Euboea early in 350 B.C. were despatched from Euboea to Olynthus (§§ 132, 161), Midias returned to Athens and denounced his fellow-soldiers who had gone to Olynthus as a disgrace to the city. Now (he adds), after staying at home then (*μείνας*), he will denounce the people who remained with him then in Athens (and voted against him on the *προβολή*), in the presence of those who were then absent at Olynthus (whom he had previously denounced). See Appendix II. § 14. *τοῦ δήμου* (5) refers to the citizens who sat in the Assembly which condemned Midias (cf. §§ 193, 194).

9, 10. **ἱππεῖς, συνάρχοντες**: see §§ 133, 134.

τις; ἐμοὶ μέν, νὴ τὸν Δία καὶ τὸν Ἀπόλλω καὶ τὴν Ἀθηνᾶν **198**
(εἰρήσεται γὰρ, εἴτ' ἄμεινον εἴτε μή), ὅθ' οὗτος ὡς ἀπήλ-
λαγμαι περιὼν ἐλογοποίει, ἔνδηλοί τινες ἦσαν ἀχθόμενοι
τῶν πάνυ τούτῳ λαλούντων ἡδέως. καὶ νὴ Δί' αὐτοῖς πολλὴ
συγγνώμη· οὐ γάρ ἐστι φορητὸς ἄνθρωπος, ἀλλὰ καὶ 5
πλουτεῖ μόνος καὶ λέγειν δύναται μόνος, καὶ πάντες εἰσὶ
τούτῳ καθάρματα καὶ πτωχοὶ καὶ οὐδ' ἄνθρωποι. τὸν οὖν **199**
ἐπὶ ταύτης τῆς ὑπερηφανίας ὄντα, νῦν ἂν ἀποφύγῃ, τί
ποιήσειν οἴεσθε; ἐξ ὅτου δὲ τοῦτ' ἂν εἰδείητ' ἐγὼ φράσω·
εἰ τοῖς μετὰ τὴν χειροτονίαν τεκμηρίοις θεωρήσαιτε. τίς
γάρ ἐστιν ὅστις καταχειροτονηθὲν αὐτοῦ, καὶ ταῦτ' ἀσεβεῖν 5
περὶ τὴν ἑορτὴν, εἰ καὶ μηδεὶς ἄλλος ἐπῆν ἀγὼν ἔτι μηδὲ
κίνδυνος, οὐκ ἂν ἐπ' αὐτῷ τούτῳ κατέδυ καὶ μέτριον παρ-
έσχεν ἑαυτὸν τόν γε δὴ μέχρι τῆς κρίσεως χρόνον, εἰ καὶ
μὴ πάντα; οὐδεὶς ὅστις οὐκ ἄν. ἀλλ' οὐ Μειδίας, ἀλλ' ἀπὸ **200**
579 τῆς ἡμέρας ταύτης λέγει, λοιδορεῖται, βοᾷ. χειροτονεῖται
τίς; Μειδίας Ἀναγυράσιος προβέβληται. Πλουτάρχου

§ **198.** 1. μὲν om. A, F. 3. περιὼν A; περὶ ὧν Y, O; περιΐων (one ι above the line) Σ. ἦσαν over erasure Σ. 5. ἄνθρωπος MSS. 6. καὶ...μόνος om. P.

§ **199.** 1, 2. τουτονὶ τοίνυν τὸν ἐπὶ ταύτης Σ γρ. 2. ἐὰν A. 3. ταῦτ' A, P. 4. χειροτονίαν (κτ? over χ) Σ; καταχειροτονίαν vulg. τεκμηρίοις om. A. θεωρήσετε vulg.; θεωρήσητε O; θεωρήσαιτε Bekker. 5. καταχειροτονηθέντος F, P, Y, O; καταχειρονηθὲν A, corr. to ἂν καταχειροτονηθεντος Σ. 6, 7. κίνδυνος μηδὲ ἀγὼν A, F; ἀγαγὼν ἔτι μηδὲ κίνδυνος O.

§ **200.** 2. ταύτης τῆς ἡμέρας A, F.

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10. **τί τοῦτον εἴπῃ τις**; the third person of the deliberative subjunctive is seldom used without τις, which has almost the force of *we*.

§ **198.** 1. **νὴ...Ἀθηνᾶν**: cf. Il. ii. 371, Ζεῦ τε πάτερ καὶ Ἀθηναίη καὶ Ἄπολλον.

2. **ὡς ἀπήλλαγμαι**, *the story that I had given up my suit* against Midias: there is no idea of *reconciliation* in ἀπήλλαγμαι.

3. **ἔνδηλοι ἦσαν ἀχθόμενοι**: M.T. 907.

6. **πλουτεῖ μόνος**, i.e. he behaves as if he were the only rich man in the world.

7. **καθάρματα...ἄνθρωποι**: the idea is partly repeated from §§ 101[7], 185[5, 6]. Blass reads *οὐδ' ἀνθρώπους* for *οὐδὲν* in § 185[6], to make the repetition more exact and to avoid ⏑⏑⏑.

§ **199.** 2. **ἐπὶ ταύτης τῆς ὑπερφανίας**, *on such a pitch of insolence.*

3. **ἐξ ὅτου δὲ** seems to correspond to ἐμοὶ μὲν (§ 198[1]).

5. **καταχειροτονηθὲν αὐτοῦ**: impersonal acc. abs. = ἐπειδὴ κατεχειροτονήθη (M.T. 851).

7. **οὐκ ἄν...κατέδυ**, *would not have sunk himself.*

§ **200.** 2. **χειροτονεῖται τις**; *is an election going on?*

3. **προβέβληται**, *is (has been) at once nominated.*—**Πλουτάρχου προξενεῖ**: this probably means only that M. was the avowed friend and defender of Plutarchus in Athens, even after his treachery became notorious. See § 110[6], Πλούταρχος, ὁ τούτου ξένος καὶ φίλος.

προξενεῖ, τἀπόρρητ' οἶδεν, ἡ πόλις αὐτὸν οὐ χωρεῖ. καὶ ταῦτα πάντα ποιεῖ δῆλον ὅτι οὐδὲν ἄλλ' ἐνδεικνύμενος ἢ ὅτι "ἐγὼ πέπονθ' οὐδὲν ὑπὸ τῆς καταχειροτονίας, οὐδὲ
201 δέδοικ' οὐδὲ φοβοῦμαι τὸν μέλλοντ' ἀγῶνα." ὃς οὖν, ὦ ἄνδρες Ἀθηναῖοι, τὸ μὲν ὑμᾶς δεδιέναι δοκεῖν αἰσχρὸν ἡγεῖται, τὸ δὲ μηδὲν φροντίζειν ὑμῶν νεανικὸν, τοῦτον οὐκ ἀπολωλέναι δεκάκις προσήκει; οὐδὲ γὰρ ἔξειν ὑμᾶς ὅ τι χρήσεσθ' αὐτῷ νομίζει. πλούσιος, θρασὺς, μέγα φρονῶν, μέγα φθεγγόμενος, βίαιος, ἀναιδής,—ποῦ ληφθήσεται, νῦν ἐὰν διακρούσηται;

202 Ἀλλ' ἔγωγε, εἰ μηδενὸς ἕνεκα τῶν ἄλλων, τῶν γε δημηγοριῶν ὧν ἑκάστοτε δημηγορεῖ, καὶ ἐν οἷς καιροῖς, τὴν μεγίστην ἂν αὐτὸν δικαίως οἶμαι δίκην δοῦναι. ἴστε γὰρ δήπου τοῦθ', ὅτι, ἐὰν μέν τι τῶν δεόντων ἀπαγγελθῇ τῇ πόλει καὶ τοιοῦτον οἷον εὐφρᾶναι πάντας, οὐδαμοῦ πώποτε Μειδίας τῶν συνηδομένων οὐδὲ τῶν συγχαιρόντων ἐξητάσθη
203 τῷ δήμῳ, ἂν δέ τι φλαῦρον, ὃ μηδεὶς ἂν βούλοιτο τῶν ἄλλων, πρῶτος ἀνέστηκεν εὐθέως καὶ δημηγορεῖ, ἐπεμβαίνων τῷ καιρῷ καὶ τῆς σιωπῆς ἀπολαύων ἣν ἐπὶ τῷ περὶ

4. τἀπόρρητα Σ; τὰ ἀπόρρητα vulg. οὐ A, Y[1]; οὐδὲ vulg.

§ **201.** 2. δεδιέναι Σ[1]. 4. προσήκει; ἐγὼ μὲν ἡγοῦμαι A. § 201[4] (οὐδὲ γὰρ to end) obelized in F, B.

§ **202.** 2. τῶν corr. to ὧν Σ. ἑκάστοτ' ἐδημηγόρει Σ, A, P, O (corr.). 4. ἀγγελθῇ A. 6. τῶν συνηδομένων ἢ τῶν συνευφραινομένων A.

§ **203.** 1. ἐὰν δέ τι λυπηρὸν ἢ φλαῦρον οὗ μηδεὶς γ' A.

4. **αὐτὸν οὐ χωρεῖ**, *cannot hold him*: cf. ix. 27; Cic. Mil. 87, capere eius amentiam (Weil).

7. **τὸν μέλλοντ' ἀγῶνα**, *the impending trial* of the προβολή in court.

§ **201.** 2. **δεδιέναι**: the regular prose infin. of δέδοικα.

4. **ὅ τι χρήσεσθ' αὐτῷ**, indirect form of τί χρησόμεθ' αὐτῷ, *what shall we do with him?*

5, 6. **πλούσιος ... ἀναιδής** probably belong to the omitted subject of λημθήσεται. But Weil puts a period after ἀναιδής.

§ **202.** 2. **ἐν οἷς καιροῖς**, for τῶν καιρῶν ἐν οἷς, continuing the construction of δημηγοριῶν, depending on δίκην δοῦναι.

4. **τι τῶν δεόντων**, opposed to τι φλαῦρον (§ 203[1]), *good news*, anything which ought to happen: cf. οἷον οὐκ ἔδει, Cor. 198[8].

6. **τῶν ... συγχαιρόντων**, *those who sympathized with the people in their pleasure or joined in the public rejoicings.* —**ἐξητάσθη**: see note on § 127[6].

§ **203.** 1. **ὅ**, with τοιοῦτον implied, is a consecutive relative, and has the negative μή, notwithstanding ἂν βούλοιτο. The idea is *such that no one.* See M.T. 576, with the examples. Cf. § 225[5].

2. **ἐπεμβαίνων τῷ καιρῷ**, *mounting high upon the occasion*, i.e. using it for all that it is worth: cf. Aesch. Sept. 634, πύργοις ἐπεμβάς.

τῶν συμβεβηκότων ἄχθεσθαι ποιεῖσθ' ὑμεῖς· "τοιοῦτοι γάρ
ἐστ', ὦ ἄνδρες Ἀθηναῖοι, οὐδὲ γὰρ ἐξέρχεσθε, οὐδ' οἴεσθε 5
δεῖν χρήματ' εἰσφέρειν. εἶτα θαυμάζετ' εἰ κακῶς τὰ
πράγμαθ' ὑμῖν ἔχει; ἔμ' οἴεσθ' ὑμῖν εἰσοίσειν, ὑμεῖς δὲ
νεμεῖσθε; ἔμ' οἴεσθε τριηραρχήσειν, ὑμεῖς δ' οὐκ ἐμβή-
580 σεσθε;"—τοιαῦθ' ὑβρίζων, καὶ τὴν ἀπὸ τῆς ψυχῆς πικρίαν **204**
καὶ κακόνοιαν, ἣν κατὰ τῶν πολλῶν ὑμῶν ἔχων ἀφανῆ παρ'
ἑαυτῷ περιέρχεται, φανερὰν ἐπὶ τοῦ καιροῦ καθιστάς. δεῖ
τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, καὶ ὑμᾶς οὕτω νῦν, ὅταν ἐξαπα-
τῶν καὶ φενακίζων ὀδύρηται καὶ κλάῃ καὶ δέηται, τοῦθ' ὑπο- 5
βάλλειν αὐτῷ· "τοιοῦτος γὰρ εἶ, Μειδία· ὑβριστὴς γὰρ εἶ,
οὐκ ἐθέλεις ἔχειν παρὰ σεαυτῷ τὼ χεῖρε. εἶτα θαυμάζεις εἰ
κακὸς κακῶς ἀπολεῖ; ἀλλὰ νομίζεις ἡμᾶς μὲν ἀνέξεσθαί
σου, αὐτὸς δὲ τυπτήσειν; καὶ ἡμᾶς μὲν ἀποψηφιεῖσθαί σου,
σὲ δ' οὐ παύσεσθαι;" 10

5. οὐδὲ...οὐδ' Σ, vulg.; οὐ γὰρ...οὐ γὰρ A, F. 7. ἐμὲ δὲ A, F. 8. νεμεῖσθε...ἐμβήσεσθε MSS., Bekker; νεμεῖσθαι...ἐμβήσεσθαι Felicianus, Dind., Weil, Blass, King. (See note below.) τριηραρχήσειν Σ, vulg.; τριηραρχεῖν A.

§ **204.** 4. ὅταν οὗτος F. 5. τοῦθ' Σ, P, Y; τοιαῦθ' A; ταῦθ' vulg. 7. σεαυτῷ Σ; σαυτῷ vulg. 8. ἀπολεῖ Σ; ἀπολεῖ (ῆ over ει) F; ἀπολῇ vulg. 9. σου om. A, F. 10. σὲ Σ, F, P, Y; σὺ A, Bekker, Weil, Blass, King. (See note below.) οὐδὲ A.

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4. **"τοιοῦτοι γάρ ἐστ',"** *this is just what you are*, the beginning of a speech put into the mouth of Midias, which goes through the section: the quotation is the object of δημηγορεῖ (2) and is summed up in τοιαῦθ' ὑβρίζων (§ 204[1]).

6. **χρήματ' εἰσφέρειν**, to pay your property-taxes (your εἰσφορά). For the property-tax at Athens, see Appendix V.

7—9. **ἔμ' οἴεσθ'...νεμεῖσθε**; *do you think that I am to pay your taxes, while you are to spend the money?* So in the following, **ἔμ' οἴεσθε...ἐμβήσεσθε**; *do you think I am to serve as trierarch, while you refuse to man the ships?* Most editors read νεμεῖσθαι and ἐμβήσεσθαι here, against the authority of the MSS. See note on § 204[10].

§ **204.** 1. **τοιαῦθ' ὑβρίζων**, i.e. *talking in this insulting style*, resumes the construction of δημηγορεῖ (§ 203[2]) after the quotation; and this is continued in καθιστὰς (3).

2. **ἣν ἔχων ἀφανῆ περιέρχεται**, lit. *which he goes about feeling secretly in his soul.*

3. **φανερὰν καθιστάς** (opposed to ἔχων ἀφανῆ), *showing it openly when an occasion offers*: cf. ἐν οἷς καιροῖς (§ 202[2]) and τῷ καιρῷ (§ 203[3]).

4. **ἐξαπατῶν**: see note on § 196[3].

6—10. This speech is a parody of that ascribed to Midias in § 203.

7. **ἔχειν...χεῖρε**, *to keep your hands to yourself*, instead of assaulting others.

8. **ἡμᾶς...τυπτήσειν**, *that we are going to endure you, while you beat us yourself* (αὐτὸς).

10. **σὲ δ' οὐ παύσεσθαι**, *while you will not stop your outrages.* Here σὲ is the only proper form of the pronominal subject; αὐτὸς in 9 is not the subject, but an intensive adjective and rightly nominative. For this passage and § 203[7–9], see Appendix VII.

205 Καὶ βοηθοῦσιν οἱ λέγοντες ὑπὲρ αὐτοῦ, οὐχ οὗτω τούτῳ χαρίσασθαι μὰ τοὺς θεοὺς βουλόμενοι, ὡς ἐπηρεάζειν ἐμοὶ διὰ τὴν ἰδίαν ἔχθραν, ἣν οὗτος αὐτῷ πρὸς ἐμὲ, ἄν τ' ἐγὼ φῶ ἄν τε μὴ φῶ, φησὶν εἶναι καὶ βιάζεται, οὐκ ὀρθῶς. ἀλλὰ κινδευνεύει τὸ λίαν εὐτυχεῖν ἐνίοτ' ἐπαχθεῖς ποιεῖν· ὅπου γὰρ ἐγὼ μὲν οὐδὲ πεπονθὼς κακῶς ἐχθρὸν εἶναί μοι τοῦτον ὁμολογῶ, οὗτος δὲ οὐδ' ἀφιέντ' ἀφίησιν, ἀλλὰ καὶ ἐπὶ τοῖς ἀλλοτρίοις ἀγῶσιν ἀπαντᾷ καὶ νῦν ἀναβήσεται μηδὲ τῆς κοινῆς τῶν νόμων ἐπικουρίας ἀξιῶν ἐμοὶ μετεῖναι, πῶς οὐχ οὗτος ἐπαχθής ἐστιν ἤδη καὶ μείζων ἢ καθ' ὅσον ἡμῶν
206 ἑκάστῳ συμφέρει; ἔτι τοίνυν παρῆν, ὦ ἄνδρες Ἀθηναῖοι, καὶ καθῆτ' Εὔβουλος ἐν τῷ θεάτρῳ, ὅθ' ὁ δῆμος κατε-

§§ **205—207** obelized in Σ, B, F; and § 208[1–3] in F.

§ **205.** 1. *βοηθοῦσιν* Σ (*ησ* over *οῦ*); *βοηθήσουσιν* vulg. 2. *χαρίσασθαι* Σ, P, O, F *γρ.*; *χαρίζεσθαι* vulg. 3. *αὐτῷ* vulg.; *αυτωι* (with *εὔβουλος* above line) Σ. *φωῖ* Σ. 4. *βιάζεται τοῦτο* F. 7. *ἀφίησιν* (corr. from *ἀνίησιν*) Σ; *ἀνίησιν* P, Y, O. 10. *μεῖζον* Σ, P, Y, O.

§ **206.** 2. *καθῆτο* F; *ἐκάθητο* Σ, vulg. *σύμβουλος* corr. to *εὔβουλος* Σ.

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§§ **205—218.** (*Character and motives of the supporters of Midias, especially of Eubulus.*)

§§ 205, 206, 207 are obelized in Σ, B, and F, with three lines of 208 in F. The first sentence in § 205 is very peculiar, and perhaps defective as Cobet and many others suppose.

§ **205.** 1, 2. **βοηθοῦσιν...ἐμοὶ**, i.e. *those who speak for him* (Midias) *come to his aid not so much because they wish to show him favour as* (because they wish) *to insult me.* Οὕτω...ὡς in this sense, *so much...as*, is questionable, though it may perhaps be justified by *οὕτω σφόδρα ὡς*, as in Plat. Apol. 30 B, *σωμάτων ἐπιμελεῖσθαι...οὕτω σφόδρα ὡς τῆς ψυχῆς*: cf. Repub. 415 B.

3. **οὗτος** and **αὐτῷ** must refer to Eubulus, if the text is sound, though *τούτῳ* (1) refers to Midias. In Σ Εὔβουλος is written above *οὗτος αὐτῷ*, but his name does not occur in the text until § 206[2]. The orator must have intended to point significantly at Eubulus if he saw him in court sitting with the partizans of Midias. —**ἄν τ' ἐγὼ...μὴ φῶ**: Cobet and Weil bracket the second *φῶ*, which may be justified by Plat. Apol. 25 B, *ἐάν τε σὺ καὶ Ἄνυτος οὐ φῆτε ἐάν τε φῆτε.* We might have had *οὐ φῶ* here, as *οὔ φημι, deny*, expresses a single idea (M.T. 384): see King's note.

4. **φησὶν εἶναι καὶ βιάζεται** (with *ἔχθραν ἣν*), *which he asserts and violently declares to exist between us.*—**οὐκ ὀρθῶς** belongs to both *φησὶν* and *βιάζεται.*

6. **οὐδὲ πεπονθὼς κακῶς**, i.e. *not even after all his ill-treatment of me.*

7. **οὐδ' ἀφιέντ'** (sc. *ἐμέ*), *not even when I let him off*: cf. xix. 118, *οὐδ' ἀφιέντων* (sc. *ἡμῶν*) *ἀφίεται.*—**ἐπὶ τοῖς... ἀπαντᾷ**, *he meets me* (as an opponent) *even in lawsuits* (like this) *in which he is not concerned.*

8. **ἀναβήσεται**, *he will mount the platform*, i.e. the one on which the supporters of Midias sat together to show their sympathy. Each party in an important case appears to have had such a platform in the court-room for his supporters: see Aeschin. iii. 207, *φάσκων τοὺς μὲν ὀλιγαρχικοὺς ἥκειν πρὸς τὸ τοῦ κατηγόρου βῆμα, τοὺς δὲ δημοτικοὺς πρὸς τὸ τοῦ φεύγοντος* (referring to the trial of Ctesiphon). In addressing the court both parties probably spoke from the same platform.—**μηδὲ**, *not even*, with *μετεῖναι*, which represents an impersonal *μέτεστί τινός τινι.*

χειροτόνησε Μειδίου, καὶ καλούμενος ὀνομαστὶ καὶ ἀντιβολοῦντος τούτου καὶ λιπαροῦντος, ὡς ὑμεῖς ἴστε, οὐκ ἀνέστη. καὶ μὴν εἰ μὲν μηδὲν ἠδικηκότος ἡγεῖτο τὴν προβολὴν γεγενῆσθαι, τότ' ἔδει τόν γε φίλον δήπου συνειπεῖν καὶ
581 βοηθῆσαι· εἰ δὲ καταγνοὺς ἀδικεῖν τότε διὰ ταῦτ' οὐχ ὑπήκουσε, νῦν δ', ὅτι προσκέκρουκεν ἐμοί, διὰ ταῦτα τοῦτον ἐξαιτήσεται, ὑμῖν οὐχὶ καλῶς ἔχει χαρίσασθαι· μὴ γὰρ **207** ἔστω μηδεὶς ἐν δημοκρατίᾳ τηλικοῦτος, ὥστε συνειπὼν τὸν μὲν ὑβρίσθαι τὸν δὲ μὴ δοῦναι δίκην ποιῆσαι. ἀλλ' εἰ κακῶς ἐμὲ βούλει ποιεῖν, Εὔβουλε, ὡς ἔγωγε μὰ τοὺς θεοὺς οὐκ οἶδ' ἀνθ' ὅτου, δύνασαι μὲν καὶ πολιτεύει, κατὰ τοὺς νόμους δ' ἥντινα βούλει παρ' ἐμοῦ δίκην λάμβανε, ὧν δ' ἐγὼ παρὰ τοὺς νόμους ὑβρίσθην, μή μ' ἀφαιροῦ τὴν τιμωρίαν. εἰ δ' ἀπορεῖς ἐκείνως με κακῶς ποιῆσαι, εἴη ἂν καὶ τοῦτο σημεῖον τῆς ἐμῆς ἐπιεικείας, εἰ τοὺς ἄλλους ῥᾳδίως κρίνων ἐμὲ μηδὲν ἔχεις ἐφ' ὅτῳ τοῦτο ποιήσεις.

Πέπυσμαι τοίνυν καὶ Φιλιππίδην καὶ Μνησαρχίδην καὶ **208** Διότιμον τὸν Εὐωνυμέα καὶ τοιούτους τινὰς πλουσίους καὶ τριηράρχους ἐξαιτήσεσθαι καὶ λιπαρήσειν παρ' ὑμῶν αὐτὸν,

3. second *καὶ* om. A. 7. *ταῦθ' οὕχ* Σ. 8. *ταυταὶ* Σ.

§ **207.** 5. *πολιτεύῃ* MSS.

§ **208.** 1. *πέπεισμαι* A, P, Y, O; Σ (corr. to *πέπυσμαι*). 3. *τοῦτον καὶ* A. *αὐτὸν* om. A.

§ **206.** 5. **μηδὲν ἠδικηκότος...γεγενῆσθαι**: cf. Aesch. ii. 145, *τῶν συκοφαντῶν προβολὰς ποιούμεθα*. The genitive depends on the verbal force of *προβολὰς* (cf. *προβάλλεσθαί τινα*). See King's note.

6. **τόν γε φίλον**, *friend as he was* (of Midias).

7. **καταγνοὺς τότε**, i.e. when the *προβολή* passed the Assembly.

8. **ὅτι προσκέκρουκεν ἐμοί**: the Scholia on p. 580, 17 give what may be an explanation of the recent "collision" between Eubulus and Demosthenes: *Εὔβουλος γὰρ ἦν ὁ κατηγορῶν τοῦ Ἀριστάρχου καὶ συναιτιώμενος τὸν Δημοσθένην* (see above §§ 116—120). Weil knows no other authority for this statement. Notice the emphatic repetition of *διὰ ταῦτα*.

§ **207.** 2. **τηλικοῦτος**, *so powerful*. —**συνειπὼν**, *by his advocacy*.—**τὸν μὲν ὑβρίσθαι τὸν δὲ μὴ δοῦναι δίκην ποιῆσαι**: it is not even implied that Eubulus *caused* Demosthenes to be insulted in the theatre. Weil says, "ces deux membres de phrase font corps." The meaning is that no one should be powerful enough to allow one man to be insulted (like Demosthenes) while his opponent escapes the penalty of the law. *συνειπὼν* refers to the omitted subject of *ποιῆσαι*.

5. **δύνασαι καὶ πολιτεύει** (cf. Cor. 18[2]), *you have the power and you are in public authority*.

10. **ἐμὲ τοῦτο ποιήσεις**: cf. Il. xvi. 424, *κακὰ πολλὰ ἔοργεν Τρῶας*.

§ **208.** 3. **ἐξαιτήσεσθαι καὶ λιπαρήσειν αὐτόν**, i.e. *will plead earnestly for*

αὐτοῖς ἀξιοῦντας δοθῆναι τὴν χάριν ταύτην. περὶ ὧν οὐδὲν ἂν εἴποιμι πρὸς ὑμᾶς φλαῦρον ἐγώ· καὶ γὰρ ἂν μαινοίμην. ἀλλ' ἃ θεωρεῖν ὑμᾶς, ὅταν οὗτοι δέωνται, δεῖ καὶ λογίζεσθαι,
209 ταῦτ' ἐρῶ. ἐνθυμεῖσθ', ὦ ἄνδρες δικασταί, εἰ γένοιντο (ὃ μὴ γένοιτ' οὐδ' ἔσται) οὗτοι κύριοι τῆς πολιτείας μετὰ Μειδίου καὶ τῶν ὁμοίων τούτῳ, καί τις ὑμῶν τῶν πολλῶν καὶ δημοτικῶν ἀνθρώπων ἁμαρτὼν εἷς τινα τούτων, μὴ τοιαῦθ' οἷα Μειδίας εἰς ἐμέ, ἀλλ' ὁτιοῦν ἄλλο, εἰς δικαστήριον εἰσίοι πεπληρωμένον ἐκ τούτων, τίνος συγγνώμης ἢ τίνος λόγου τυχεῖν ἂν οἴεσθε; ταχύ γ' ἂν χαρίσαιντο, οὐ γάρ; ἢ δεηθέντι τῷ τῶν πολλῶν προσσχοῖεν, ἀλλ' οὐκ ἂν εὐθέως 582
εἴποιεν "τὸν δὲ βάσκανον, τὸν δὲ ὄλεθρον, τοῦτον δ' ὑβρί-
210 ζειν, ἀναπνεῖν δέ· ὃν εἴ τις ἐᾷ ζῆν, ἀγαπᾶν δεῖ"; μὴ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, τούτοις τοῖς οὕτω χρησαμένοις

§ **209.** 1. δικασταί (corr. later to Ἀθηναῖοι) Σ. 2. ἔσται ποτὲ A; ἔσται νῦν F. 4. ἀνθρώπων om. F. 6. λόγου Σ; ἐλαίου O; ἐλέου vulg. 7. ἂν (after τυχεῖν) om. Σ. ἢ δεηθέντι A; οὐδεηθέντι (οὐ over small erasure) Σ; δὴ δεηθέντι F. 8. προσχοῖεν Σ; πρόσχοιεν F, O; προσέχοιεν vulg.; προσσχοῖεν Bekker. οὐ A, F, omitting ἂν εὐθέως εἴποιεν. 10. δέον (for δέ· δν) Σ, F. ζῆιν Σ. δεῖ Σ, P, O; ἔδει vulg.

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his acquittal: λιπαρήσειν is not active, but merely adds emphasis to ἐξαιτήσεσθαι, as if λιπαροῦντας were added to it. See Weil, who quotes, to illustrate the zeugma, ix. 72 and 74, αἱ πέρυσί πρεσβεῖαι καὶ κατηγορίαι ἃς περιήλθομεν, and τοῦτο ἐκτήσαντο καὶ κατέλιπον μετὰ πολλῶν καὶ μεγάλων κινδύνων.

§ **209.** 1. **ὃ μὴ γένοιτ' οὐδ' ἔσται**: a combination of a wish with *μή* and a statement with *οὐ*, *may it never be so, and it never will be.*

4. **μὴ τοιαῦθ' οἷα**, *not so grave* (an offence) *as.*

6. **πεπληρωμένον**, *made up*: cf. Aeschyl. Eum. 570, πληρουμένου δικαστηρίου, and xxiv. 92, δικαστήρια πληροῦτε.

7. **ταχύ γ',...οὐ γάρ**; *they would be very quick to show him favour,—would they not?*

8. **προσσχοῖεν** (sc. νοῦν), *would they pay attention* to such a man's request?—**οὐκ ἂν εἴποιεν**: ἂν is repeated here, after it was regularly omitted with προσσχοῖεν (M.T. 226), probably because of the change from προσσχοῖεν (implying a negative answer) to οὐκ...εἴποιεν (implying an affirmative answer), to make the connection with χαρίσαιντο ἂν (7) more distinct. Weil and Blass would omit ἂν εὐθέως εἴποιεν, reading οὐ for οὐκ; but this would leave no verb of *saying* to introduce the following quotations, which would come awkwardly after merely ἀλλ' οὐ.

9, 10. We have four expressions introduced by the interrogative οὐκ εἴποιεν ἄν: first two exclamatory accusatives, like the Latin *testis egregios*; then τοῦτον δ' ὑβρίζειν, ἀναπνεῖν δέ, like *mene incepto desistere victam! that he should be thus insulting and then dare to draw his breath!* (M.T. 787); and finally ὃν εἴ τις ἐᾷ ζῆν ἀγαπᾶν δεῖ, *a fellow who should be content if he is allowed to live!*

§ **210.** 1—3. **μὴ...ἔχεθ' ὑμεῖς**, i.e. *do not treat them otherwise than they would treat you* (χρησαμένοις ἄν); cf. xx. 135, τοῖς ἄλλοις χαλεπῶς ἔχων, and 142, οἷς ἀηδῶς ἔχει.

ἂν ὑμῖν ἄλλως πως ἔχεθ' ὑμεῖς, μηδὲ τὸν πλοῦτον μηδὲ
τὴν δόξαν τὴν τούτων θαυμάζετε, ἀλλ' ὑμᾶς αὐτούς. πολλὰ
τούτοις ἀγάθ' ἐστὶν, ἃ τούτους οὐδεὶς κωλύει κεκτῆσθαι· μὴ
τοίνυν μηδ' οὗτοι τὴν ἄδειαν, ἣν ἡμῖν κοινὴν οὐσίαν οἱ νόμοι
παρέχουσι, κωλυόντων κεκτῆσθαι. οὐδὲν δεινὸν οὐδ' ἐλεει- **211**
νὸν Μειδίας πείσεται, ἂν ἴσα κτήσηται τοῖς πολλοῖς ὑμῶν,
οὓς νῦν ὑβρίζει καὶ πτωχοὺς ἀποκαλεῖ, ἃ δὲ νῦν περιόντ'
αὐτὸν ὑβρίζειν ἐπαίρει περιαιρεθῇ. οὐδ' οὗτοι δήπου
ταῦθ' ὑμῶν εἰσι δίκαιοι δεῖσθαι, "μὴ κατὰ τοὺς νόμους
δικάσητε, ἄνδρες δικασταί· μὴ βοηθήσητε τῷ πεπον-
θότι δεινά· μὴ εὐορκεῖτε· ἡμῖν δότε τὴν χάριν ταύτην."
ταῦτα γὰρ, ἄν τι δέωνται περὶ τούτου, δεήσονται, κἂν
μὴ ταῦτα λέγωσι τὰ ῥήματα. ἀλλ' εἴπερ εἰσὶ φίλοι, καὶ **212**
δεινὸν εἰ μὴ πλουτήσει Μειδίας ἡγοῦνται, εἰσὶ μὲν εἰς τὰ
μάλιστ' αὐτοὶ πλούσιοι, καὶ καλῶς ποιοῦσι, χρήματα δ' αὐτῷ
παρ' ἑαυτῶν δόντων, ἵν' ὑμεῖς μὲν ἐφ' οἷς εἰσήλθετ' ὀμωμο-
κότες δικαίως ψηφίσησθε, οὗτοι δὲ παρ' αὑτῶν τὰς χάριτας,
μὴ μετὰ τῆς ὑμετέρας αἰσχύνης, ποιῶνται εἰ δ' οὗτοι

§ **210.** 3. *ὑμῖν* over erasure Σ. 4. *τὴν* before *τούτων* om. Σ, P, Y, O. 6. *κοινὴν ἡμῖν* A. *οὖσαν* Σ *γρ.* § 210[5–7] (*μὴ...κεκτῆσθαι*) obelized in F.

§ **211.** 2. *ἡμῶν* Σ, P, Y, O. 3. *περιόντ'* Σ, A[1]; *περιόντ'* vulg. 6. *δικάσητε* (*ση* apparently corrected, and *ε* over *αι*) Σ. *ὦ ἄνδρες* vulg.; *ὦ* om. Σ, P, O. 7. *μὴ* A; *μήδ'* Σ, F, P, Y, O.

§ **212.** 2. *εἰσὶ μὲν εἰσὶ τὰ μάλιστα* A, Σ *γρ.* 4. *δόντων* (not *διδόντων*) Σ (see Weil). *εἰσεληλύθατε* F.

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4. **θαυμάζετε**, *honour, treat with respect*: cf. xix. 338, Φίλιππον μὲν οὐκ ἐθαύμασα, τοὺς δ' αἰχμαλώτους ἐθαύμασα, ἔσωσα.

5. **μὴ τοίνυν...κεκτῆσθαι**: i.e. *as nobody tries to deprive them of their wealth, neither let them try to deprive you of your sense of security* (ἄδειαν).

§ **211.** 3. **ἃ δὲ...περιαιρεθῇ**, *and if* (ἂν) *he shall be deprived of the superfluous wealth which now incites him to outrages.* **ἃ νῦν περιόντ'...ἐπαίρει** = *τὰ περιόντα* (*the superfluities*) **ἃ νῦν ἐπαίρει**: cf. § 212[4].

8. **ταῦτα γὰρ δεήσονται**, for this is what they *will really be asking*.

§ **212.** 3. **καὶ καλῶς ποιοῦσι**, *and they may be thankful for it*: cf. Cor. 231[8] (with note), *καλῶς ποιοῦντες τοὺς καρποὺς κεκόμισθε, you, by the blessing of Heaven*, etc. Our expression *doing well* (*prosperous*) is somewhat similar.

4. **παρ' ἑαυτῶν**, *from their own means*, gives force to παρ' αὑτῶν in 5. — **ἐφ' οἷς εἰσήλθετ' ὀμωμοκότες**, i.e. *according to the oath which you swore before you came into court*: cf. § 211[3].

6. **μὴ...αἰσχύνης**, *not at the expense of your disgrace.* — **εἰ δ' οὗτοι...ὅρκον προέσθαι**; *but if these men, when they have wealth, would not sacrifice it* (to save M.), *how can it be honourable for you to sacrifice your oath* (for that object)? The antithesis of *χρήματα μὴ πρόοιντ' ἂν* and *ὅρκον προέσθαι* is very emphatic. The

χρήματ' ἔχοντες μὴ πρόοιντ' ἄν, πῶς ὑμῖν καλὸν τὸν ὅρκον προέσθαι;

213 Πλούσιοι πολλοὶ συνεστηκότες, ὦ ἄνδρες Ἀθηναῖοι, τὸ δοκεῖν τινὲς εἶναι δι' εὐπορίαν προσειληφότες, ὑμῶν παρίασι δεησόμενοι. τούτων μηδενί μ', ὦ ἄνδρες Ἀθηναῖοι, προῆσθε, ἀλλ' ὥσπερ ἕκαστος τούτων ὑπὲρ τῶν ἰδίᾳ συμφερόντων 583
5 καὶ ὑπὲρ τούτου σπουδάσεται, οὕτως ὑμεῖς ὑπὲρ ὑμῶν αὐτῶν καὶ τῶν νόμων καὶ ἐμοῦ τοῦ ἐφ' ὑμᾶς καταπεφευγότος σπουδάσατε, καὶ τηρήσατε τὴν γνώμην ταύτην ἐφ' ἧς νῦν ἐστέ.
214 καὶ γὰρ εἰ μέν, ὦ ἄνδρες Ἀθηναῖοι, τόθ' ὅτ' ἦν ἡ προβολή, τὰ πεπραγμέν' ὁ δῆμος ἀκούσας ἀπεχειροτόνησε Μειδίου, οὐκ ἂν ὁμοίως ἦν δεινόν· καὶ γὰρ μὴ γεγενῆσθαι, καὶ μὴ περὶ τὴν ἑορτὴν ἀδικήματα ταῦτ' εἶναι, καὶ πόλλ' ἂν εἶχέ
215 τις αὑτὸν παραμυθήσασθαι. νῦν δὲ τοῦτο καὶ πάντων ἄν

§ **213.** 4. ἕκαστος Σ (-ος by correction for -οι?), vulg. 7. εστέ Σ.

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potential optative or indicative with ἄν in protasis is not an uncommon construction and is a perfectly natural form of expression. It simply supposes that something *would happen* or *would have happened*, as a condition to some conclusion. See examples in M.T. 506. With this example compare Plat. Prot. 329 B, εἴπερ ἄλλῳ τῳ πειθοίμην ἄν, καὶ σοὶ πείθομαι, *if I would trust any man, I trust you*. See note on Cor. 101[9]: there I have defended εἰ ἐπεχείρησ' ἄν, which is generally thought to be corrupt, by the analogy of xix. 172, where εἰ προσλαβών γ' ἂν...ἐπρέσβευσα, which is universally approved, stands in precisely the same construction; εἰ ἐπεχείρησ' ἄν being *if I would have undertaken* (on any consideration), as εἰ ἐπρέσβευσα ἄν is *if I would have gone on the embassy* (on any inducement).

§ **213.** 1. **τὸ δοκεῖν τινὲς εἶναι**, *the appearance of being something*.

2. **παρίασι**, as future, *will come forward* (to support M.).

5. **σπουδάσεται**: the future active of σπουδάζω is not classic; the aorist active occurs in line 6.

§ **214.** 3. **μὴ γεγενῆσθαι** depends rather loosely in *or. obl.* on παραμυθήσασθαι (5). The meaning is that, if M. had escaped on the vote of προβολή, any friend of his (τις in 5) might have encouraged himself with the thought that the facts of the case *had been misrepresented* (μὴ γεγενῆσθαι), or that the outrage (if committed) was not *a sacrilegious act against the sanctity of the festival* (μὴ περὶ τὴν ἑορτὴν ἀδικήματα), etc. Cf. Xen. Hell. iv. 8, 1, παρεμυθοῦντο τὰς πόλεις, ὡς οὔτε ἀκροπόλεις ἐντειχιοῖεν ἐάσοιέν τε αὐτονόμους.

§ **215.** 1. **τοῦτο ... συμβαίη**, *this would be even the most dreadful of all things which could befall me*; all that follows, through § 216, is the protasis. The main clause of this confused protasis is εἰ...ἀποψηφιεῖσθε (§ 216[9]), with two participial clauses introduced by ἔχοντες and ἅπαντῶντες belonging to the subject of ἀποψηφιεῖσθε; these clauses are followed by a temporal clause, ἐπειδὴ...ἐμαυτὸν (§ 216[6–9]), dependent directly on ἀποψηφιεῖσθε. The clause with ἔχοντες has a dependent clause with ὥστε (§ 215[4]), on which a second clause with ὥστε (§ 216[1]) depends. ἐφαίνεσθε (Σ φαίνεσθε) was inserted in § 215[3] by some one who felt the want of a verb in that place, and this is in all MSS. But this change called for μὲν after αὐτὰ (§ 215[2]) and δὲ after ἐπειδὴ (§ 216[6]), and these are found in most of

μοι δεινότατον συμβαίη, εἰ παρ' αὐτὰ τἀδικήμαθ' οὕτως ὀργίλως καὶ πικρῶς καὶ χαλεπῶς ἅπαντες ἔχοντες [ἐφαίνεσθε], ὥστε, Νεοπτολέμου καὶ Μνησαρχίδου καὶ Φιλιππίδου καί τινος τῶν σφόδρα πλουσίων τούτων δεομένων καὶ ἐμοῦ 5
καὶ ὑμῶν, ἐβοᾶτε μὴ ἀφεῖναι, καὶ προσελθόντος μοι Βλεπαίου τοῦ τραπεζίτου τηλικοῦτ' ἀνεκράγετε ὡς (τοῦτ' ἐκεῖνο) χρήματά μου ληψομένου ὥστε μ', ὦ ἄνδρες Ἀθηναῖοι, **216**
φοβηθέντα τὸν ὑμέτερον θόρυβον θοἰμάτιον προέσθαι καὶ μικροῦ γυμνὸν ἐν τῷ χιτωνίσκῳ γενέσθαι, φεύγοντ' ἐκεῖνον ἕλκοντά με, καὶ μετὰ ταῦτ' ἀπαντῶντες "ὅπως ἐπέξει τῷ

§ **215.** 2. *αὐτὰ μὲν* vulg.; *αὐτὰ* Σ, A, P, Y, O. 3. *φαίνεσθε* Σ; *ἐφαίνεσθε* vulg. (See note below.) 5. *τινος* Σ, P, Y, O; F (corr. from *τινων*); *τῶν ἄλλων* A; *τινων* vulg. *πλουσίων τούτων πλουσίων* (first *πλουσίων* marked for erasure) Σ; *πλουσίων τούτων* P, Y, O. *δεομένων* (corr. to *δεομέν ον* or *ου*) Σ. 7. *ἐκείνου* Σ.

§ **216.** 1. *ὦ ἄνδ. Ἀθην.* om. A. 3. *γενέσθαι φεύγοντα. ἐκεῖνον δ' ἕλκοντά με.* Σ, A, P, Y, O. 4. *ἐπέξει* Σ; *ἐπέξῃ* vulg.

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the poorer MSS. These changes show an early attempt to reconstruct this cumbrous sentence, which the orator could never have intended to leave as it now stands or ever stood. We have here another striking proof that the orator never gave this speech its final revision.

The meaning of the sentence is this (with some omissions): If, when at the time of the offence you were all so angry, etc. that (*ὥστε*), when N. and others besought me and yourselves to let him go, you cried out against it, and (again) when Bl. approached me (for the same purpose) you screamed out that I was about to take a bribe to let him off, so that (*ὥστε*) in my fear I left my cloak in his hands to escape him,—and when afterwards you met me with cries of "prosecute the vile fellow," etc.—if, I say, now that the offence has been decided to be an outrage (*ὕβρις*) and the people, sitting as judges in a sacred place (the theatre), have given their judgment,—you shall after all this (*τηνικαῦτα*), vote to acquit him. (See special notes which follow.)

2. **οὕτως...ἔχοντες** (impf.), *whereas you were then so angry.*

4. **Νεοπτολέμου**: see Cor. § 114[6].—**καί τινος...τούτων**, *and* (perhaps) *some other one of these very rich men.*

6. **ἀφεῖναι** supplies the object of *δεομένων* (5).—**Βλεπαίου**: perhaps the rich man mentioned by Alexis (quoted by Athen. vi. 241 b):—

ὁ Κόρυδος οὗτος, ὁ τὰ γελοῖ' εἰθισμένος
λέγειν, Βλεπαῖος εἶναι βούλεται, νοῦν γ' ἔχων·
πλουτεῖ γὰρ ὁ Βλεπαῖος.

7. **τηλικοῦτ'**, *so loud*, followed by **ὡς**.—**ὡς ληψομένου**. *that I was about to take money* from Midias: this is practically another form of *or. obl.*, though the participle is circumstantial, lit. *assuming that I was about to take money, you shouted this out.* Cf. Soph. Aj. 281, *ὡς ὧδ' ἐχόντων τῶνδ' ἐπίστασθαί σε χρή, you must understand that this is so* (M.T. 917).—**τοῦτ' ἐκεῖνο**, *that same old story*: cf. Eur. Or. 804, *τοῦτ' ἐκεῖνο, κτᾶσθ' ἑταίρους.*

§ **216.** 3. **μικροῦ** (sc. *δεῖν*), *almost* (M.T. 779*b*): cf. *μικροῦ δεῖν ὁμοιόν ἐστι*, Cor. 269.

4. **ἕλκοντά με**, i.e. seizing me by my *ἱμάτιον* to drag me away, so that the garment was left in the banker's hands. —**ἀπαντῶντες**, *meeting me* with such cries as "ὅπως...Ἀθηναῖοι" (4, 5): cf. § 24[7], *πρὸς ἕκαστον ἀπαντᾶν ὅταν οὗτος λέγῃ*; Isoc. i. 31, *πρὸς τὰς ὀργὰς τραχέως ἀπαντῶν*, and xi. 30, *ἴσως ἂν τοῖς εἰρημένοις ἀπαντήσειας.* (See note on 6, below.)—**ὅπως ἐπέξει**, *see that you prosecute this*

μιαρῷ καὶ μὴ διαλύσει· θεάσονταί σε τί ποιήσεις Ἀθηναῖοι," τοιαῦτα λέγοντες· ἐπειδὴ κεχειροτόνηται μὲν ὕβρις τὸ πρᾶγμ' εἶναι, ἐν ἱερῷ δ' οἱ ταῦτα κρίνοντες καθεζόμενοι διέγνωσαν, διέμεινα δ' ἐγὼ καὶ οὐ προὔδωκ' οὔθ' ὑμᾶς οὔτ' **217** ἐμαυτὸν, τηνικαῦτ' ἀποψηφιεῖσθε ὑμεῖς. μηδαμῶς· πάντα γὰρ τὰ αἴσχιστ' ἔνεστιν ἐν τῷ πράγματι. εἰμὶ δ' οὐ τού- 584
των ὑμῖν ἄξιος (πῶς γὰρ, ὦ ἄνδρες Ἀθηναῖοι;) κρίνων ἄνθρωπον καὶ δοκοῦντα καὶ ὄντα βίαιον καὶ ὑβριστὴν, ἡμαρτηκότ' ἀσελγῶς ἐν πανηγύρει, μάρτυρας τῆς ὕβρεως τῆς ἑαυτοῦ πεποιημένον οὐ μόνον ὑμᾶς, ἀλλὰ καὶ τοὺς ἐπιδημήσαντας ἅπαντας τῶν Ἑλλήνων. ἤκουσεν ὁ δῆμος τὰ πεπραγμένα τούτῳ. τί οὖν; ὑμῖν καταχειροτονήσας παρέ- **218** δωκεν. οὐ τοίνυν οἷόν τ' ἀφανῆ τὴν γνῶσιν ὑμῶν γενέσθαι, οὐδὲ λαθεῖν, οὐδ' ἀνεξέταστον εἶναι τί ποθ' ὡς ὑμᾶς τοῦ πράγματος ἐλθόντος ἔγνωτε· ἀλλ' ἐὰν μὲν κολάσητε, δόξετε σώφρονες εἶναι καὶ καλοὶ κἀγαθοὶ καὶ μισοπόνηροι, ἂν δ' ἀφῆτε, ἄλλου τινὸς ἠττῆσθαι. οὐ γὰρ ἐκ πολιτικῆς αἰτίας,

5. μὴ om. A. διαλύσει Σ; διαλύσῃ vulg. 6. ἐπειδὴ Σ, A, P, Y, O; ἐπειδὴ δὲ vulg.; ἐπεὶ δὲ B. 7. κρίναντες A. 8. ἐγὼ Σ, P, Y; κἀγὼ vulg.

§ **217.** §§ 217—218[5] (ἠττῆσθαι) obelized in Σ, B, F. 3. πῶς γὰρ...κρίνων Σ, vulg.; πῶς γὰρ ὅστις...κρίνω ἄνθρωπον Σ γρ., F marg. 6. ἑαυτοῦ Σ; αὐτοῦ vulg. ἐπιδημοῦντας πάντας A.

§ **218.** 2. εἶναι om. O. Paris ed. (1570), Dind. 5. ἠττησθε Σ; ἠττᾶσθε A, F; ἠττῆσθαι marg.

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foul fellow! This emphatic imperative use of ὅπως with the future is very common in Aristophanes (M.T. 271—274). Though the form may have been suggested originally by an ellipsis of σκόπει with ὅπως, it is hardly possible that this was felt in such familiar exhortations.

6. **τοιαῦτα λέγοντες**, *addressing me in this style*, summing up ἁπαντῶντες (4) with the following clauses through Ἀθηναῖοι. If ἁπαντῶντες is rightly explained above, λέγοντες must be a mere repetition of it. —**κεχειροτόνηται**: i.e. by the vote of the Assembly on the προβολή.

8. **διέμεινα**, *held my ground*, never thought of giving up my suit.

9. **τηνικαῦτ'**, *after all this*, refers to all that precedes from εἰ παρ' αὐτὰ (§ 215[2]).

§ **217.** 2. **ἐν τῷ πράγματι**, i.e. the supposed acquittal of Midias.—**εἰμὶ δ' οὐ τούτων ὑμῖν ἄξιος**, *but I do not deserve this at your hands*: ὑμῖν expresses relation, *as regards you*. See Xen. Mem. i. 1, 1, ἄξιος θανάτου τῇ πόλει, *deserving death at the hands of the state*; Antiph. vi. 10, χάριτος ἄξιον εἶναι τῇ πόλει, *to be worthy of the state's gratitude*.

5. **ἐν πανηγύρει**, *in the grand assemblage* of the Great Dionysia.

7. **ἤκουσεν**: in the public Assembly which acted on the προβολή.

§ **218.** 2. **ἀνεξέταστον εἶναι** (impers.), *that it should not be asked*.

5. **ἄλλου τινὸς ἠττῆσθαι**, *to have succumbed to some other* (i.e. baser) *motive*, opposed to καλοὶ κἀγαθοὶ etc.

οὐδ' ὥσπερ Ἀριστοφῶν ἀποδοὺς τοὺς στεφάνους ἔλυσε τὴν προβολήν, ἀλλ' ἐξ ὕβρεως, ἐκ τοῦ μηδὲν ἂν ὧν πεποίηκεν ἀναλῦσαι δύνασθαι κρίνεται. πότερ' οὖν τούτου γενομένου κρεῖττον αὖθις ἢ νυνὶ κολάσαι; ἐγὼ μὲν οἶμαι νῦν· κοινὴ γὰρ ἡ κρίσις, καὶ τἀδικήματα πάντ' ἐφ' οἷς νῦν κρίνεται κοινά.

Ἔτι δὲ οὐκ ἔμ' ἔτυπτεν, ὦ ἄνδρες Ἀθηναῖοι, μόνον **219** οὗτος οὐδ' ὕβριζε τῇ διανοίᾳ τότε, ποιῶν οἵ' ἐποίει, ἀλλὰ πάντας ὅσους περ ἂν οἴηταί τις ἧττον ἐμοῦ δύνασθαι δίκην ὑπὲρ αὑτῶν λαβεῖν. εἰ δὲ μὴ πάντες ἐπαίεσθε μηδὲ πάντες ἐπηρεάζεσθε χορηγοῦντες, ἴστε δήπου τοῦθ', ὅτι οὐδ' ἐχορηγεῖθ' ἅμα πάντες, οὐδὲ δύναιτ' ἄν ποθ' ὑμᾶς ἅπαντας μιᾷ χειρὶ οὐδεὶς προπηλακίσαι. ἀλλ' ὅταν εἷς ὁ παθὼν μὴ λάβῃ **220** δίκην, τόθ' ἕκαστον αὐτὸν χρὴ προσδοκᾶν τὸν πρῶτον μετὰ ταῦτ' ἀδικησόμενον γενήσεσθαι, καὶ μὴ παρορᾶν τὰ τοιαῦτα, μηδ' ἐφ' ἑαυτὸν ἐλθεῖν περιμένειν, ἀλλ' ὡς ἐκ πλείστου φυλάττεσθαι. μισεῖ Μειδίας ἴσως ἐμέ, ὑμῶν δέ γ' ἕκαστον

7. ἐκ Σ, A, P, Y, O; καὶ ἐκ vulg. 8. πότερ' Σ, P, Y, O; πότερον vulg. 9. κρεῖττον A; κρεῖττον ἦν Σ, vulg. 10. νῦν Σ, P, Y, O, F marg.; om. vulg. 8 (πότερ')—10 obelized in Σ, B, F.

§ **219.** 1. ὧ om. A, O. 2. ἃ ἐποίει A. 6. ἂν οὐδέποθ' F. ἅπαντας Σ, P, Y, O; ἅμα πάντας vulg.

§ **220.** 3. ἀδικηθησόμενον A, F.

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6. **ἀποδοὺς τοὺς στεφάνους**: the Scholia say that Aristophon appropriated to his own use some tithes with which he was bound to consecrate crowns to Athena. For this he was prosecuted by προβολή by Eubulus; but, before the case came before the Assembly, he procured the crowns and consecrated them, on which the προβολή was dropped. It is commonly thought that this was the well-known Aristophon of Azenia to whom Demosthenes often refers (cf. Cor. 70^4, 75^2): he was at one time a political opponent of Eubulus (xix. 291).

7. **ἐκ τοῦ...δύνασθαι**, i.e. *because he could not possibly undo any of his acts*: ἐκ expresses the ground for Midias now being brought to trial (κρίνεται).

9. **αὖθις ἢ νυνὶ κολάσαι**: the only question is between punishing him now or waiting for some other outrage.—**κοινὴ**: the present outrage was so *public* that it offers the best opportunity for your action.

§§ **219—225.** (*In assaulting Demosthenes, Midias attacks every well-disposed citizen. The power of the Law is our only protection.*)

§ **219.** 2. **τῇ διανοίᾳ τότε**: he was not thinking merely of me when he assaulted me (τότε): τῇ μὲν γὰρ χειρὶ τὸν Δημοσθένην, τῇ δὲ διανοίᾳ τοὺς πάντας. Schol.

3. **ὅσους περ ἂν οἴηται** depends on an implied perfect, like *he has really assaulted*: τύπτω had no perfect active in classical use.

§ **220.** 2. **ἕκαστον ... γενήσεσθαι**, *each one should himself expect to be the first to be wronged hereafter.*

4. **ἐλθεῖν περιμένειν** (sc. τὰ τοιαῦτα): cf. ix. 10, εἰ μέχρι τούτου περιμενοῦμεν, ἕως ἂν ἡμῖν ὁμολογήσῃ πολεμεῖν.

ἄλλος τις. ἆρ' οὖν συγχωρήσαιτ' ἂν τοῦτον, ὅστις ἐστὶν ἕκαστος ὁ μισῶν, κύριον γίγνεσθαι τοῦ ταὐθ' ἅπερ οὗτος ἐμὲ ὑμῶν ἕκαστον ποιῆσαι; ἐγὼ μὲν οὐκ οἶμαι. μὴ τοίνυν
221 μηδ' ἔμ', ὦ ἄνδρες Ἀθηναῖοι, προῆσθε τούτῳ. ὁρᾶτε δέ· αὐτίκα δὴ μάλα, ἐπειδὰν ἀναστῇ τὸ δικαστήριον, εἷς ἕκαστος ὑμῶν, ὁ μὲν θᾶττον ἴσως, ὁ δὲ σχολαίτερον, οἷκαδ' ἄπεισιν οὐδὲν φροντίζων οὐδὲ μεταστρεφόμενος οὐδὲ φοβούμενος, οὔτ' εἰ φίλος οὔτ' εἰ μὴ φίλος αὐτῷ συντεύξεταί τις, οὐδέ γ' εἰ μέγας ἢ μικρὸς, οὐδ' εἰ ἰσχυρὸς ἢ ἀσθενὴς, οὐδὲ τῶν τοιούτων οὐδέν· τί δήποτε; ὅτι τῇ ψυχῇ τοῦτ' οἶδε καὶ θαρρεῖ καὶ πεπίστευκε
222 τῇ πολιτείᾳ, μηδέν' ἕλξειν μηδ' ὑβριεῖν μηδὲ τυπτήσειν. εἶτ' ἐφ' ᾗ ἀδείᾳ αὐτοὶ πορεύεσθε, ταύτην οὐ βεβαιώσαντες ἐμοὶ βαδιεῖσθε; καὶ τίνι χρή με λογισμῷ περιεῖναι ταῦτα παθόντα, εἰ περιόψεσθέ με νῦν ὑμεῖς; θάρρει νὴ Δία, φήσειέ τις ἄν· οὐ γὰρ ἔτ' οὐδὲν ὑβρισθήσει. ἐὰν δὲ, τότ' ὀρ-

6. *συγχωρήσετε* A. 7. *γίγνεσθαι* Σ, A, P, Y, O; *γενέσθαι* vulg. 9. *πρόεσθε* F.

§ **221.** 1. *δέ* om. Σ, P, Y, O. 3. *σχολαίτερον* (*αιτ* above line) Σ. 4. *οὐδὲν* Σ, P, Y, O; *οὐδέν γε* vulg. 5. *οὔτ' εἰ μὴ φίλος* om. F. 5, 6. *οὐδέ γε ἢ μέγας ἢ μικρὸς, ἢ ἰσχυρὸς ἢ ἀσθενὴς* Σ; *οὐδ' εἰ ἰσχυρὸς* Reiske, Bekker. Dind.; *οὐδ' ἰσχυρὸς* A, Blass; *ἢ ἰσχυρὸς* Σ, F, Y, O, Weil; *ἢ εἰ ἰσχυρὸς* P. 8. *μηδένα* Σ: *μηδένα αὐτὸν* vulg. *ὑβρίσειν* A.

§ **222.** 2. *ᾗ ἀδείᾳ* Reiske, Bekker, Dind.; *ἣν ἄδειαν* MSS.; *ἧς ἀδείας* Cobet, Weil, Blass, King. *ταύτην* om. P, Y, O. 3, 4. *καὶ τίνι χρή με λογισμῷ περιεῖναι ταῦτα παθόντα* Σ; Σ *γρ.* has *καὶ τίνι με χρὴ λογισμῷ ταῦτα παθόντα ζῆν. περιεῖναι* om. A. *παθόντα ζῆν* A, F; *παθόντα καὶ ζῆν* vulg. 4. *εἴπερ ὄψεσθε* A. *ὑμεῖς* om. F. 5. *ὑβρισθήσει* Σ; *ὑβρισθήσῃ* vulg.

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7. **ὁ μισῶν**: sc. *ἕκαστον ὑμῶν*.—**κύριον γίγνεσθαι**, *should come to have the power*.

§ **221.** 2. **ἀναστῇ**: the Heliastic court was said *to sit* (*καθῆσθαι*, see Aristoph. Nub. 208) and *to rise* (*ἀναστῆναι*).

4. **μεταστρεφόμενος**, *turning round anxiously*: *τοιοῦτοι γὰρ οἱ φοβούμενοι*, Schol. The following indirect questions depend on the combined idea of *φροντίζων ...φοβούμενος*.—**οὔτ' εἰ φίλος ..ἀσθενὴς**: *οὔτ' εἰ...οὔτ' εἰ μὴ* introduces the double question with *συντεύξεταί τις*, while *οὐδ'* introduces those with *εἰ...ἤ*.

5. **εἰ μέγας**: as Σ has *ἢ μέγας*, a manifest error for *εἰ μέγας*, there can be no hesitation in reading *εἰ ἰσχυρὸς* in 6, where Reiske's *οὐδ' εἰ* combines *ἢ εἰ* of P with *οὐδ'* of A.

7. **πεπίστευκε τῇ πολιτείᾳ** (sc. *τοῦτο*), *has come to trust the state for this*, viz. *μηδέν' ...τυπτήσειν*. We have here the only proper future of *τύπτω*, notwithstanding the unclassical *τύψω* and the barbarous *τυπέω*, *τυπῶ*, of the old paradigm.

§ **222.** 2. **ἐφ' ᾗ ἀδείᾳ**, *la sécurité grâce à laquelle*; le génitif dirait *la sécurité avec laquelle*: Weil. *ἐφ' ἣν ἄδειαν* of the MSS. is impossible. See critical note.

3. **τίνι...παθόντα**, i.e. *on what ground can I expect to survive after what I have already suffered?*

5. **ἐὰν δὲ** (sc. *ὑβρισθῶ*).

γιεῖσθε νῦν ἀφέντες; μηδαμῶς, ὦ ἄνδρες δικασταί, μὴ προδῶτε μήτ' ἐμὲ μήθ' ὑμᾶς αὐτοὺς μήτε τοὺς νόμους. καὶ **223** γὰρ αὐτὸ τοῦτ' εἰ θέλοιτε σκοπεῖν καὶ ζητεῖν, τῷ ποτ' εἰσὶν ὑμῶν οἱ ἀεὶ δικάζοντες ἰσχυροὶ καὶ κύριοι τῶν ἐν τῇ πόλει πάντων, ἐάν τε διακοσίους ἐάν τε χιλίους ἐάν θ' ὁποσουσοῦν ἡ πόλις καθίσῃ, οὔτε τῷ μεθ' ὅπλων εἶναι συντεταγμένοι μόνοι τῶν ἄλλων πολιτῶν, εὕροιτ' ἄν, οὔτε τῷ τὰ σώματ' 586 ἄριστ' ἔχειν καὶ μάλιστ' ἰσχύειν [τοὺς δικάζοντας], οὔτε τῷ τὴν ἡλικίαν εἶναι νεώτατοι, οὔτε τῶν τοιούτων οὐδενί, ἀλλὰ τῇ τῶν νόμων ἰσχύϊ. ἡ δὲ τῶν νόμων ἰσχὺς τίς ἐστιν; ἆρ' **224** ἐάν τις ὑμῶν ἀδικούμενος ἀνακράγῃ, προσδραμοῦνται καὶ παρέσονται βοηθοῦντες; οὔ· γράμματα γὰρ γεγραμμέν' ἐστὶ, καὶ οὐχὶ δύναιντ' ἄν τοῦτο ποιῆσαι. τίς οὖν ἡ δύναμις αὐτῶν ἐστίν; ὑμεῖς, ἐὰν βεβαιῶτ' αὐτοὺς καὶ παρέχητε κυρίους ἀεὶ τῷ δεομένῳ. οὐκοῦν οἱ νόμοι θ' ὑμῖν εἰσιν ἰσχυροὶ καὶ ὑμεῖς τοῖς νόμοις. δεῖ τοίνυν τούτοις βοηθεῖν **225** ὁμοίως ὥσπερ ἂν αὐτῷ τις ἀδικουμένῳ, καὶ τὰ τῶν νόμων

6. δικασταὶ Σ, O; Ἀθηναῖοι vulg.

§ **223.** 2. τίνι τωι F. 3. ἐν τῇ πολιτείᾳ A. 4. ὁπόσους ἂν Σ, Bekker, Dind.; ὁπόσους οὖν A; ὁποσουσοῦν Weil, Blass, King; ὁποσουσδὴ Cobet. 7. τοὺς δικάζοντας om. Bekker. 9. τῇ τῶν νόμων ἰσχύϊ Σ, Y, O; τῷ τοῖς νόμοις ἰσχύειν A, F, P; τῷ τοὺς νόμους ἰσχύειν Taylor-Reiske, Bekker, Weil; τοῖς νόμοις Blass.

§ **224.** 4. δύναιτ' P, Y, O; δύναταὶτ Σ; δύναιντ' Taylor. ἡ δύναμις αὐτῶν Σ, P, Y, O; αὐτῶν ἡ δύναμις vulg. 6. τῳ ἀεὶ δεομένῳ Cobet.

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6. **νῦν ἀφέντες** = *ἐὰν νῦν ἀφῆτε αὐτόν.*

§ **223.** 3. **ὑμῶν οἱ ἀεὶ δικάζοντες,** *those of you who may at any time sit as judges.*

4. **διακοσίους ... χιλίους:** these are examples of the number of judges who sat in different cases, the importance of the case (at least in public trials, *γραφαί*) often deciding the number. The ordinary number in *γραφαί* was 501, which might be increased to 1001, 1501, 2001, or even 2501. In the trial of Socrates there were 501 judges. In cases of *φάσις* there were only 201. We now know from Aristotle (Const. of Ath. § 53[3]) that in private suits (*δίκαι*) the numbers were 401 for cases involving more than 1000 drachmas, and 201 for lesser cases. The number was always uneven, to avoid a tie vote; in cases of acquittal by a tie, some of the judges must have been absent when the vote was taken.

5. **ἡ πόλις καθίσῃ** seems to show that the number of judges in different suits was generally fixed by law.

7. **[τοὺς δικάζοντας]:** this ungrammatical addition was probably made by someone who wanted a subject for *ἰσχύειν* and did not see that *ὑμῶν οἱ ἀεὶ δικάζοντες* (felt as *ὑμεῖς*) supplies the subject of the whole sentence. See the nominatives in 5 and 8.

§ **224.** 5. **ὑμεῖς,** *you* are their strength.

6. **ὑμῖν,** dat. of means, like *νόμοις* (7).

§ **225.** 2. **ὥσπερ ἄν:** sc. *βοηθήσειεν,* the condition being in *ἀδικουμένῳ.*—**τῶν νόμων** is obj. gen.

ἀδικήματα κοινὰ νομίζειν, ἐφ' ὅτου περ ἂν λαμβάνηται, καὶ μήτε λητουργίας μήτ' ἔλεον μήτ' ἄνδρα μηδένα μήτε τέχνην μηδεμίαν εὑρῆσθαι, μήτ' ἄλλο μηδὲν, δι' ὅτου παραβάς τις τοὺς νόμους οὐ δώσει δίκην.

226 Ὑμῶν οἱ θεώμενοι τοῖς Διονυσίοις εἰσιόντ' εἰς τὸ θέατρον τοῦτον ἐσυρίττετε καὶ ἐκλώζετε, καὶ πάνθ' ἃ μίσους ἐστὶ σημεῖ' ἐποιεῖτε, οὐδὲν ἀκηκοότες πω περὶ αὐτοῦ παρ' ἐμοῦ. εἶτα πρὶν μὲν ἐλεγχθῆναι τὸ πρᾶγμα ὠργίζεσθε, προὐκαλεῖσθ' ἐπὶ τιμωρίαν τὸν παθόντα, ἐκροτεῖθ' ὅτε προὐβαλόμην **227** αὐτὸν ἐν τῷ δήμῳ· ἐπειδὴ δ' ἐξελήλεγκται, καὶ προκατέγνωκεν ὁ δῆμος τούτου εἰς ἱερὸν καθεζόμενος, καὶ τἄλλα προσεξήτασται τὰ πεπραγμένα τῷ μιαρῷ τούτῳ, καὶ δικάσοντες

§ **225.** 5. *μήτ' ἄλλο μηδὲν* om. Σ, P; before *εὑρῆσθαι* A; om. Weil, Blass, King.

§ **226.** 2. *ἐκλώζετε* Lambinus, from Harpocration, *ἐκλώζετε, Δημοσθένης κατὰ Μειδίου* (see note below); *ἐκεκράγετε* Σ, P, Y, O; B marg. has *γρ. ἐκεκράγετε καὶ πάντα ἃ μίσους σημεῖα ἐποιεῖτε.* Other MSS. omit it. *καὶ πάντα ἃ...σημεῖα* Σ, P, Y, O; *ὥστε ἃ...σημεῖα, ταῦτα* vulg.; *ὥστε ἃ...σημεῖα, ταῦτ'* A; *ὥστε ἃ...ταῦτ'* F.

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3. **ἐφ' ὅτου περ ἂν λαμβάνηται** (sc. *τὰ ἀδικήματα*), i.e. *whoever it may be who is detected in committing them.*

4. **ἄνδρα μηδένα**: *διὰ τὸν Εὔβουλον λέγει· τὸ δὲ μήτε τέχνην διὰ τοὺς συνηγόρους καὶ τὴν ἀπάτην.* Schol.

5. **εὑρῆσθαι**, *should have been devised* (M.T. 109), depends on *δεῖ* (1), and applies chiefly to *τέχνην.*—**δι' ὅτου...οὐ δώσει δίκην**: consecutive with *οὐ* (M.T. 575), not final.

PERORATION. §§ **226, 227.** (*You hooted Midias in the theatre after his assault on me, before I had spoken a word to you on the matter; and you applauded me when I brought the προβολή before the people. Can you now hesitate as to your action as judges?*)

§ **226.** 1. **εἰσιόντ' εἰς τὸθ ἑατρον**: this must refer to the first appearance of Midias in the theatre after the assault on Demosthenes, at the same Dionysia.

2. **ἐκλώζετε**, *hooted*: see Lexicon under *κλώζω* and *κολοιός.* Though *ἐκλώζετε* is found in no MS., it is universally accepted on the authority of Harpocration, *ἐκλώζετε*: *Δημοσθένης κατὰ Μειδίου· κλωσμὸν ἔλεγον τὸν γιγνόμενον ἐν τοῖς στόμασι ψόφον, ᾧ πρὸς τὰς ἐκβολὰς ἐχρῶντο τῶν ἀκροαμάτων ὧν οὐχ ἡδέως ἤκουον.* The word is said to represent the voice of the jackdaw, *κολοιός. ἐκεκράγετε*, which is found in four MSS., is thought by Weil to be a correction of *ἐκλάζετε*, a corruption of *ἐκλώζετε.* (See his note.) Most MSS. give only *ἐσυρίττετε.*

3. **οὐδὲν...παρ' ἐμοῦ**: i.e. before the *προβολή* was discussed in the Assembly.

4. **εἶτα** introduces the long double question *πρὶν μὲν...τοῖς ἄλλοις;* (§ 227[7]).

5. **τὸν παθόντα**: sc. *ἐμέ.*

§ **227.** 1. **ἐξελήλεγκται** refers to the proof of the guilt of M. brought before the Assembly; *προκατέγνωκεν* to the preliminary (*προ-*) vote condemning him.

2. **εἰς ἱερὸν**: so Thuc. i. 96 (end). Cf. § 216[7].—**τἄλλα**: the matters brought before the court at the trial.

3. **δικάσοντες εἰλήχατε**, *you have drawn the lot to be judges.* The fut. partic. with *λαγχάνω* is perhaps unique (see King's note): we should expect *δικάζειν*, like *βουλεύειν μου λαχόντος* in § 111[1]. Cf. *ἔλαχον ἱερεὺς* lvii. 47.

εἰλήχατε, καὶ πάντ' ἐστὶν ἐν ὑμῖν μιᾷ ψήφῳ διαπράξασθαι, νῦν ὀκνήσετ' ἐμοὶ βοηθῆσαι, τῷ δήμῳ χαρίσασθαι, τοὺς ἄλλους σωφρονίσαι, μετὰ πολλῆς ἀσφαλείας αὐτοὶ τὸ λοιπὸν διάγειν, παράδειγμα ποιήσαντες τοῦτον τοῖς ἄλλοις;

587 Πάντων οὖν εἵνεκα τῶν εἰρημένων, καὶ μάλιστα τοῦ θεοῦ χάριν περὶ οὗ τὴν ἑορτὴν ἀσεβῶν οὗτος ἤλωκε, τὴν ὁσίαν καὶ δικαίαν θέμενοι ψῆφον τιμωρήσασθε τοῦτον.

6. αὐτοὶ om. A. 7. ἄλλοις (with preceding s) om. Σ^1; with τοῖ • παν at end of line, and s ἄλλοις above. 8. εἵνεκα Σ, P, Y, O.

After the oration Σ has

ΚΑΤΑ ΜΕΙΔΙΟΥ
ΧΧ ΙΙΙ
Διωρθωται μετριως

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4. **μιᾷ ψήφῳ**, the vote on the question of the guilt of Midias. The subsequent vote on the penalty, if he is convicted, is another matter.

5. **τοὺς ἄλλους σωφρονίσαι**, *to teach others decency* by making an example of Midias.

9. **περὶ οὗ τὴν ἑορτήν**, *concerning whose festival*: for περί τι ἀσεβεῖν, see the Lexicon.—**τὴν ὁσίαν καὶ δικαίαν ψῆφον**, i.e. *the vote which duty to the laws of God and of man requires of you.* This opposition of ὅσιον and δίκαιον sometimes seems inconsistent with that of ἱερόν and ὅσιον, *sacred and profane*, as in Thuc. ii. 52^2, ἐς ὀλιγωρίαν ἐτράποντο καὶ ἱερῶν καὶ ὁσίων ὁμοίως. But ὅσιον is what *divine law* either requires of man or permits *to man*; δίκαιον is what *human law* either requires of man or permits *to man*: see Polyb. xxiii. 10, 8, παραβῆναι καὶ τὰ πρὸς τοὺς ἀνθρώπους δίκαια καὶ τὰ πρὸς τοὺς θεοὺς ὅσια, and Antiph. i. 25, δικαιότερον καὶ ὁσιώτερον καὶ πρὸς θεῶν καὶ πρὸς ἀνθρώπων. On the other hand, ἱερόν is what the Gods claim *for themselves* by divine law, as opposed to ὅσιον, what they grant *to man*: see Dem. xxiv. 9, τουτονὶ τὸν νόμον, δι' οὗ τῶν ἱερῶν μὲν χρημάτων τοὺς θεούς, τῶν ὁσίων δὲ τὴν πόλιν ἀποστερεῖ. It is thus merely by a change in the antithesis that ὅσιον sometimes appears to have inconsistent meanings. See above §§ 104^{11}, 126^{10}.

APPENDICES.

I.

THE ARGUMENT OF THE ORATION.

1. The oration against Midias was written to be delivered before the Heliastic Court which was to try Midias for a brutal assault on Demosthenes in the Dionysiac Theatre, when he was officiating as χορηγός at the Great Dionysiac Festival in 350 B.C. Though the case never came to trial, the speech of Demosthenes was carefully prepared for delivery, except in a few comparatively unimportant passages, where the want of a final revision is strikingly obvious. The suit against Midias was brought by the special process called προβολή, the chief peculiarity of which was that it had the support of a vote of the public Assembly, alleging (in the manner of an indictment) that the accused had committed certain crimes or misdemeanours. As the oration against Midias is the only one which we have relating to the προβολή, we know the process chiefly in its application to offences against the dignity or sanctity of religious festivals[1].

2. In the opening sentence of the Oration (§ 1^{5}), προὐβαλόμην ἀδικεῖν τοῦτον περὶ τὴν ἑορτήν, we have the technical statement of the case, *an indictment by* προβολή, *charging Midias with an offence against the festival*[2]. The traditional title, κατὰ Μειδίου περὶ τοῦ κονδύλου, was probably used in the προβολή as voted by the Assembly, and repeated in the indictment (also called προβολή) which Demosthenes brought to the θεσμοθέται in entering his case. See § 72^{6}, ὅταν κονδύλοις, ὅταν ἐπὶ κόρρης, where κονδύλοις refers to *a blow with the clenched fist*, and ἐπὶ κόρρης to *a box on the ear*.

3. The following is the argument of the Oration:

I. Prooemium, with a statement of two important laws bearing on the case: §§ **1—12**.

[1] For a full account of the προβολή, see Appendix VI. B.

[2] Cf. § 28^{4}, τοῦτο αὐτὸν προὐβαλόμην.

II. Brief statement of the case of προβολή: §§ **13—18.**
1. Voluntary χορηγία of Demosthenes and the malicious annoyance by Midias: §§ 13—15.
2. Outrages of Midias ending in the assault upon Demosthenes in the theatre: §§ 16—18.

III. Introduction to the account of the outrages of Midias (apart from those included in the προβολή), described in §§ 77—142, against Demosthenes and others: §§ **19—21**[6].
[§§ 21[7]—23 are out of place here: see discussion in 4—6, pp. 129, 130.]

IV. Anticipation of sundry extenuating pleas of Midias (see page 20): §§ **24—76.**

V. Outrages of Midias (apart from the προβολή): §§ **77—142.**
1. Against Demosthenes: §§ 77—127.
(*a*) Before the προβολή: §§ 77—101.
(*b*) After the προβολή: §§ 102—125.
(*c*) Conclusion: §§ 126, 127.
2. Against others: §§ 128—142.

VI. Life of Midias, and comparison with other similar offenders: §§ **143—183.**
1. Comparison of Alcibiades with Midias: §§ 143—150.
2. Pressure on Demosthenes to induce him to drop his suit, and his grounds for refusal: §§ 151—159.
3. Pretended public services of Midias: §§ 160—174.
4. Comparison of Midias with other offenders: §§ 175—183.

VII. Epilogue: §§ **184—225.**
1. Caution against appeals of Midias for pity: §§ 184—188.
2. Talk of Midias about Orators: §§ 189—192.
3. Calumnies of Midias against the people of Athens: §§ 193—204.
4. Character and motives of the supporters of Midias, especially Eubulus: §§ 205—218.
5. In assaulting Demosthenes, Midias has attacked every well-disposed citizen. The power of the Law is our only protection: §§ 219—225.

VIII. Peroration. At the time of the assault the judges (as citizens) hooted Midias and applauded Demosthenes. How can they now hesitate to make Midias an example to all offenders? §§ **226, 227.**

Remarks on §§ 21[7]—23.

4. Most editors have seen that the line Λέγε...μαρτυρίαν, § 21[7], with the single μαρτυρία following it, indicates some serious trouble in the text. But they have generally confined themselves to noting an omission after § 22, where it is supposed that other μαρτυρίαι with other remarks were once added or were to be added. This, however, is a very slight step towards restoring this part of the speech to the form in which the orator intended to leave it. The μαρτυρίαι concerning the προβολή, of which we have only the first (τὴν τοῦ χρυσοχόου πρώτην), could not have followed §§ 19[4]—21, in which the orator had stated his line of argument on the outrages against himself and others which were not included in the προβολή (see § 19[4–7]). The only place for such documents would be directly after § 18, which ends the account of the outrages at the Dionysia, with which alone the προβολή was strictly concerned.

Again, § 23 is absolutely unmeaning where it stands, as it can refer only to the outrages *against others*, which we find narrated in §§ 128—142. The words ὥσπερ εἶπον ἐν ἀρχῇ τοῦ λόγου, after περὶ ὧν τοὺς ἄλλους ἠδίκηκεν, are absurd if they are referred to §§ 19[5]—20 (as they must be); and no possible addition of documents after § 22 could help this trouble.

All this indicates a design of the orator to make some important change in the order of his argument, which was begun in the passages under discussion but was probably interrupted by a sudden decision to abandon the suit.

5. I would suggest the following as a possible solution of the problem, admitting that any approach to certainty is now out of the question.

(*a*) I think that Demosthenes had decided to transfer the whole passage (IV.) in which he anticipates extenuating pleas of Midias (§§ 24—76) to the place directly before the Epilogue (§ 184), thus making the whole argument against Midias which does not strictly refer to the charges in the προβολή follow directly the discussion of the προβολή in §§ 13—18, after the short introduction in §§ 19—21[6]. In making this transposition, πρὸ τούτων in § 24[1] would of course be omitted.

(*b*) §§ 21[7]—22 and 23, which cannot stand where they are on any theory, were probably left in writing by the orator to be inserted in their proper places in completing the revision; when §§ 21[7]—22 would have followed § 18, and § 23 would have introduced § 128. These passages were afterwards erroneously inserted in the original text where they now stand.

(*c*) The passage ἐξελέγξω...ἄξιον (§ 21^{2-6}), which is partly a repetition and partly an improved enlargement of § 19^{4-7}, was probably introduced as a more effective introduction than the latter to the long statement in §§ 77—183, which was to follow it directly. Finally, § 19, which is quite obscure in its form of expression (see note on lines 3, 4), would naturally have been modified to suit the addition in § 21.

6. This change in the order of the argument would have added to its force. The long discussion of the extenuating pleas of Midias breaks the continuity of the elaborate discussion of his long series of outrages, and weakens the effect of the whole. It must be remembered that the outrages to which the προβολή strictly referred were familiar to most of the judges as eye-witnesses (see § 18), so that a brief statement of them was sufficient for the orator's purpose. He devotes the main part of his speech to showing that the outrages of Midias in the theatre were not caused by a sudden outburst of passion or even by mere personal enmity to himself, but were a part of the insolent and contemptuous course of conduct which had marked his whole life and which it was necessary for the court to check by condign punishment. It would have strengthened this course of argument to present the whole story of the supercilious insolence of Midias in one continuous narrative.

I have made no attempt to introduce any of these suggestions into the text of the oration, except by repeating § 23 in < > before § 128. I have bracketed §§ 21^{7}, 22, and 23 where they stand in the MSS.

II.

HISTORICAL INTRODUCTION.

A. *Life of Demosthenes to* 349 B.C.

1. In discussing the speech against Midias, we are concerned only with the early life of Demosthenes, and not at all with his career as a statesman. Though this speech was written about two years after the First Philippic and just before the Olynthiacs, it contains no allusions to the grave political questions which were then exciting Athens and in which Demosthenes was taking an important part. In addressing the large popular court, composed of at least 501 citizens, taken by lot from all political parties, it was unwise for an advocate to refer emphatically to the grave political questions of the day,

especially if, like Demosthenes, he was a strong supporter of either side in a great public contest, like that which then concerned the attitude of Athens to the growing power of Philip of Macedon. In the oration on the Crown, when the career of Demosthenes as a statesman was the chief point at issue, all this was changed, and the orator was his own advocate.

2. Demosthenes, son of Demosthenes, was born at Athens, according to the date now generally accepted, in 384—383 B.C.; and he died at Calauria in October, 322[1]. His life coincided almost exactly with that of Aristotle. His father died in 376—375 B.C., leaving his son in his eighth year and a daughter in her fifth. He left an estate of about fifteen talents[2], to be managed during the son's minority by Aphobus and two other guardians. Under their dishonest management during their ward's minority, the estate had nearly vanished when he attained his majority in 366 B.C. The young Demosthenes immediately began legal proceedings against his guardians, from each of whom he claimed ten talents (to cover principal and income); but he brought to trial only his suit against Aphobus. He was aided in these proceedings by Isaeus, a jurist of great eminence, especially learned in the law governing inheritance and in the management of estates.

3. In 364 B.C., after two years of anxious preparation, the suit against Aphobus was ready for trial in the court of the Chief Archon. There we first meet Midias as a persecutor of the young Demosthenes. Midias was a rich and influential citizen, who used his wealth and power in the most unscrupulous manner to advance his public and private interests; and he displayed a pomp and extravagance in his private life which made him conspicuous wherever he appeared. Above

[1] The date of the birth of Demosthenes has been much disputed. That given above is based on Dem. xxx. 15, 17, where the orator says that his guardian Aphobus was married in the last month of the archonship of Polyzelus (midsummer 366 B.C.), and that immediately afterwards he became of age (18) and passed his *δοκιμασία*. In xxvii. 4, 17, and 29, he says that he was in his eighth year (*ἕπτ' ἐτῶν ὄντα*) at his father's death, and that he was under guardianship ten years (i.e. until 366 B.C.). Hyperides (in Demosth., Col. xxii. 5) refers to Demosthenes as "over sixty years old" in 324—323 B.C. This is directly opposed to Mid. 154, where he is made to say that he was thirty-two years old in 349—348 B.C.; and it is probably on this authority that Dion. Hal. (Amm. p. 724) places his birth in 381—380 B.C., which was for a long period adopted as the correct date, e.g. by Grote. See note on Mid. 154[6]. See Schaefer, Demosthenes und seine Zeit, i. 269 (2nd ed.), with Beilage II. (only in 1st ed.); Blass, Chron. Dem. (in Teubner ed.), p. 5.

[2] For the value of the silver in the Attic talent, weighing 57¾ lbs., see note on Mid. 80[7].

all, he treated those whom he called his inferiors, or whom he wished to insult or degrade, with a supercilious insolence which is almost inconceivable, even when we make due allowance for the strong language in which Demosthenes describes it.

4. A few days before the suit of Demosthenes was to be brought into court, Midias and his brother Thrasylochus, who was an intimate friend of Aphobus, appeared at the house of Demosthenes, and demanded that he should either assume a trierarchy which had been assigned to Thrasylochus or submit to *antidosis* (exchange of property) with Thrasylochus. Under these circumstances Demosthenes must either accept the trierarchy with all its expense at once, or submit the question of his liability to the board of Generals. If their decision went against him, he must either take the trierarchy or exchange property with Thrasylochus. The whole business was an artful and contemptible trick, devised to enable Thrasylochus to drop the suit against Aphobus by obtaining control of the estate of Demosthenes[1]. As there was now no time for an appeal, Demosthenes accepted the trierarchy at an expense of thirty minae, and thus saved his lawsuit.

5. The case first came before a public arbiter (διαιτητής)[2], who decided against Aphobus. In the Heliastic court, to which Aphobus appealed, the result was the same, and Demosthenes was awarded his full damages, ten talents. In this trial he delivered his two speeches against Aphobus (xxvii. and xxviii.). But he found it impossible to obtain either his estate or his damages from his wily opponent. When he attempted to seize a piece of land belonging to Aphobus, he was met by Onetor, brother-in-law of Aphobus, who claimed that he held the land as security for the dowry of his sister, whom Aphobus had married and divorced. Demosthenes brought a δίκη ἐξούλης, ejectment suit, against Onetor, charging him with ejecting him from land to which he had a legal claim[3]. In this case he delivered his two speeches against Onetor (xxx. and xxxi.), probably in 362—361 B.C. The issue of this suit is not known.

6. Soon after the affair of the trierarchy Demosthenes brought a δίκη κακηγορίας against Midias, in which he demanded satisfaction for foul and abusive language used by him to himself and to his mother and sister when he visited their house with Thrasylochus. When this came before the arbiter, Midias did not condescend to appear, and

[1] See Mid. 78, 6, with the note on ἀντιδιδόντες τριηραρχίαν. See also note on 80[7].

[2] We now know from Aristotle, Const. of Ath. 53, that all private suits (δίκαι) were first brought before an arbiter. See note on διαιτητής, Mid. 83[4].

[3] For the δίκη ἐξούλης see Appendix VI. G.

was defaulted. But by his arts or influence he succeeded in escaping the payment of damages; and he even prevented a δίκη ἐξούλης, which Demosthenes entered against him to compel him to pay, from being brought into court[1]. In connection with the δίκη κακηγορίας Demosthenes recounts one of the most arbitrary and unprincipled acts of Midias, his cruel treatment of Straton, the arbiter before whom the suit first came for trial. Midias avenged himself most brutally on Straton, who gave judgment against him on default in the δίκη κακηγορίας, by maliciously procuring a judgment of the board of arbiters against him, by which he was reduced to the pitiable condition of complete ἀτιμία with no hope of redress[2].

7. At the age of twenty-three Demosthenes found himself mainly dependent on himself for the means of support; and he adopted the profession of λογογράφος or legal adviser, the duties of which included writing speeches for clients to deliver in court (whence the name). Between 360 and 356 B.C. he wrote for clients the private orations numbered xli., li., and lv.[3] But he soon aspired to something much higher than preparing arguments for others to use in private cases. Before he was thirty he had already distinguished himself as an advocate in cases of important public interest, in which the constitutionality of laws or decrees was judicially tested[4]. His arguments in such cases of γραφὴ παρανόμων are those against Androtion (xxii. 355—354 B.C.), against Leptines (xx. same year), against Timocrates (xxiv. 353—352), and against Aristocrates (xxiii. 352—351). In the public Assembly he had already made three speeches which are preserved, on the Symmories (xiv. 354—353), in defence of Megalopolis (xvi. 353—352), and the First Philippic (iv. spring of 351).

8. The tribe Pandionis, to which Demosthenes belonged, had neglected to appoint a χορηγός for the lyric contests at the Great Dionysia of 351—350 B.C., and Demosthenes offered himself as a volunteer for this important office[5]. This offer was accepted by the

[1] See the account of this in Mid. 81, 82.

[2] This is described at great length in Mid. 83—100. The passage is an important authority on the subject of the public arbiters.

[3] See Blass, Chron. Dem. (in Teubner ed.), pp. 18 ff.

[4] See the discussion of the γραφὴ παρανόμων in the larger edition of De Corona, Essay II.

[5] See Mid. 13, 14. The dates of the assault of Midias and of the composition of the speech of Demosthenes have been much disputed. I have adopted those given by Schaefer in his elaborate argument, Demosthenes, ii. pp. 109—118. He accepts the date of the composition of the speech against Midias given by Dion. Hal. (Amm. p. 726, 12), the year of the Archon Callimachus, 349—348 B.C. The correct interpretation of τρίτον ἔτος τουτί in Mid. 13[2] (see note) gives 351—350 B.C. as the year

people with enthusiasm, and he now devoted himself to the preparation for the musical contest with special care and great expense. This new opportunity to annoy him was not neglected by Midias, who persecuted him through the whole period of his *χορηγία* with every kind of annoyance, as he narrates in his speech[1]. Finally, on the day of the grand performance, when Demosthenes was sitting in state in the orchestra as *χορηγός*, just as the chorus was about to enter the theatre, Midias came forward in the presence of the immense audience in the most insulting manner, and struck him in the face with his clenched fist (*κονδύλοις*). Demosthenes made no forcible resistance, and acted with a dignity which befitted the solemn occasion and gained him the sympathy of the assembled people[2]. On the day immediately after the Πάνδια, which closed the Dionysia, came the special meeting of the Assembly, appointed by law to consider matters relating to the Dionysia, and especially any act of disorder which had violated the dignity of the festival and might call for the *προβολή*[3]. Demosthenes here proposed a vote of *προβολή* against Midias, which was passed unanimously, in spite of the exertions of Midias and his friends to stay the wrath of the people. The citizens had already given a decisive proof of their feelings by hissing and hooting Midias when he appeared in the theatre after the assault and by applauding Demosthenes.

of the *χορηγία* of Demosthenes, his appointment falling in the early part of that year and the festival in the spring of 350. I mention only one of Schaefer's arguments. I refer at the outset to his convincing proof (p. 114) that the Euboean war in aid of Plutarchus cannot have begun before midsummer 351 and cannot have continued after 349—348 B.C. As it was begun late in February (pp. 79, 80: see xxxix. 16, *τοὺς χόας ἄγων*), it must therefore fall in 350 or 349. The war was in the year of the Dionysia at which Demosthenes was assaulted by Midias. Demosthenes mentions (Mid. 111) as a most recent event (*τελευτῶν*) his election to the Senate and the attacks made against him at his *δοκιμασία* by Midias. The year of this senatorship must have been 349—348. Demosthenes was Senator in 347—346, the year of the Peace of Philocrates; and though a man could be Senator twice in his life, he could not hold the office in two successive years. The members of the Senate were subject to *εὔθυναι* after their year of office; and each Senate had charge of the *δοκιμασία* of its immediate successors in office. His first senatorship must have fallen in either a second or a fourth Olympic year. During his year of office (see Mid. 115) he was made *ἀρχιθεωρός* to lead the Athenian deputation (*θεωρία*) to the Nemean festival: this occurred in the first Attic month of the second and fourth years of each Olympiad (Schaefer, p. 116, n. 4). This brings us directly to 349—348 as the year of the senatorship, as we can hardly think of 351—350. We thus come to the autumn of 349 as the most probable time of the composition of the speech against Midias, and to the year following February 350 as the period of the Euboean war, which gives us 351—350 as the year of the *χορηγία* of Demosthenes, and the spring of 350 as the time of the assault.

[1] Mid. 14—17. [2] Mid. 2, 226. [3] Mid. 8, 9.

9. After the unanimous condemnation of Midias by the Assembly in accepting the προβολή, we are surprised to learn that Demosthenes did not at once carry his case into court and secure a conviction of Midias while the popular wrath was roused against him. But there seems to have been a reaction in the feeling of the people, at least among men of influence. This may have been partly caused by the large number of citizens returning from Euboea who were absent when the προβολή was voted; but it was chiefly due to the artful machinations by which Midias contrived to bring new issues into the case and to make it seem advisable for Demosthenes to postpone the trial. We have already seen instances of his skill in evading even the strongest processes of the law. Influential friends of Midias at once besought Demosthenes not to press his successful case to extremities, but to be content with the unanimous vote of the people. Midias let it be quietly understood that he was ready to atone for his insult by a substantial payment, while his conviction in a public suit would be of no advantage to his accuser. We do not know how seriously Demosthenes considered any of these propositions; in his speech he tells us merely that he rejected them all with scorn and indignation. Politics, however, may have been brought into the question in a way which boded serious danger to Demosthenes in his public career.

10. A significant fact was the changed attitude of the great conservative statesman Eubulus, who was probably the most influential man in Athens and was always hostile to the policy of vigorous opposition to Philip, to which Demosthenes was strongly committed. We must remember that this crisis fell between the First Philippic and the Olynthiacs. Now Eubulus had persistently refused to use his influence to save Midias from the προβολή in the Assembly, probably because he saw that the people were too excited to be withstood and he was unwilling to be defeated in such a cause. Though personally called upon to say a word for Midias, he kept his seat[1]. But now, for reasons which may easily be surmised, he let it be known that he proposed to appear in court as an advocate of Midias if he was brought to trial[2]. It was also publicly stated that no orator in Athens would appear for Demosthenes[3]. This at once shows a great change in the public feeling. The effect of the public appearance of Eubulus in court as the advocate of a conspicuous offender was strikingly manifest some six years later, at the trial of Aeschines for παραπρεσβεία[4]. The weak reply of Aeschines to

[1] Mid. 206. [2] Mid. 206, 207. [3] Mid. 190.
[4] See Essay IV. in larger edition of De Corona.

the powerful argument of Demosthenes is not enough to explain his acquittal by even a small majority of the court[1]. It can hardly surprise us, from this point of view, that a youthful statesman, whose future was full of hope and of danger, should finally shrink from the risk of bringing an older man of great influence to a public trial for his life against such odds. An acquittal of Midias, as Demosthenes often tells us, would have been really a conviction for himself[2].

11. The speech against Midias must have been prepared with great care for a trial which was anticipated as certain; and we cannot conceive of the greater part as written by one who entertained even the possibility of compromise with his opponent. We know absolutely nothing of the circumstances which finally led to a private settlement of the case: we hear merely that he accepted half a talent from Midias[3] and dropped the suit, and we cannot doubt that this was forced upon Demosthenes as the only means of escaping a disastrous defeat in court, which would have greatly impaired his influence with the people of Athens. The Olynthian war was impending, and the Olynthiac orations were already in the orator's mind and heart. His zeal in behalf of Olynthus and against Philip, and his eagerness to have Athens oppose Macedonia with all her might at this great crisis, may have done much to persuade him to sacrifice his private feelings for the public good. The Olynthiacs may perhaps give us a silent explanation of the compromise with Midias.

B. *The War in Euboea in* 350 B.C.

12. The famous expedition of Timotheus to Euboea in 357 B.C. was one of the glorious exploits of Athens which the orators always mentioned with pride. The island was then cleared of Thebans in thirty days and was wrested permanently from Thebes, which had held it since the battle of Leuctra in 371 B.C. Euboea remained in nominal friendship with Athens about seven years, though Philip's influence was constantly used to alienate the island from her after he gained control

[1] The traditional majority was thirty.

[2] See Mid. 6: *ἐγὼ νῦν φεύγω.*

[3] This amount depends on the statement of Aeschines iii. 52: *ἀπέδοτο τριάκοντα μνῶν ἅμα τήν τε εἰς αὐτὸν ὕβριν καὶ τὴν τοῦ δήμου καταχειροτονίαν.* Attention has been called to the circumstance that the sum of 3000 drachmas said to have been paid by Midias is just the amount of the sum paid by Demosthenes for the trierarchy imposed on him in 364 B.C. (2000 dr.) and the unpaid damages incurred by Midias on the *δίκη κακηγορίας* (1000 dr.): see Mid. 80[7], 89[1]. Aeschines is not the best authority for the sum paid, and the amount stated by him seems absurdly small.

of southern Thessaly in 353—352 B.C. In the First Philippic (351 B.C.) letters from Philip to the Euboeans were read showing his hostility to Athens; and his cruisers had even seized Athenian vessels off Geraestus[1].

13. Late in the winter of 351—350 B.C., Plutarchus, a sort of despot in Eretria, who was hard pressed by his enemies in Euboea, asked help from the Athenians, professing that he wished to save the island from Philip. Against the strong advice of Demosthenes, it was voted to send a force of both cavalry and infantry to aid him, and this went to Euboea late in February 350 B.C., under the command of Phocion[2]. Just as this expedition was preparing, a sudden call for help against Philip's threatening movements came from Olynthus[3]. To provide for this emergency, a call for volunteer trierarchs was again made (the second of the three calls mentioned in Mid. 161), and a fleet was equipped and sent at once. It was also provided that a part of the cavalry sent to Euboea should later be despatched to Olynthus if it was found that they could be spared from the campaign in Euboea[4].

14. The cavalry, among whom was Midias, landed in Euboea near Chalcis and encamped at Argura; the infantry, one of whom was Demosthenes, went further south and encamped on a hill near Tamynae. Phocion felt such confidence in the situation that he imprudently allowed large numbers of his soldiers to leave the camp and return to Athens. Demosthenes returned to take his place as choregus at the Great Dionysia. Probably all the cavalry returned or went to Olynthus. This carelessness of Phocion encouraged the Euboean enemies of Athens to renewed exertions; and soon the alarming news came to the city that the army at Tamynae was in the greatest danger of capture or destruction[5]. The Senate at once voted to call for volunteer trierarchs for a new expedition to Euboea[6], and to order all the cavalry which had returned to Athens from Argura to hasten back to the rescue of the army at Tamynae. Midias, being thus

[1] Dem. iv. 34, 37.

[2] v. 5; xxxix. 16; Plut. Phoc. 12.

[3] Cf. iv. 17. This was before Philip had made any real attack upon either Olynthus itself or its immediate territory; and the expedition was earlier than any of those mentioned in the Olynthiacs.

[4] See Mid. 161—164, 197; [lix.] 4: *μελλόντων στρατεύεσθαι ὑμῶν παυδημεὶ εἴς τε Εὔβοιαν καὶ Ὄλυνθον.*

[5] Aeschin. iii. 86: in 88 he says that only a miracle saved the army.

[6] This is the last of the three *ἐπιδόσεις* of Mid. 161.

ordered back to actual service, hastened to offer himself as a volunteer trierarch and gave a trireme to the state. He did this, according to Demosthenes, to escape cavalry service in the field[1]. But during the very meeting of the Assembly in which he made this offer, fresh news suddenly came that Phocion had gained a most unexpected and decisive victory at Tamynae, and it was not thought necessary to send the cavalry back to Euboea. Midias now sent a substitute to command his trireme, and stayed at home for the Dionysia, at which he assaulted Demosthenes. But shortly after the Dionysia Phocion again changed his mind, and sent to Athens for the absent cavalry: then (according to Demosthenes) Midias hastened to take command of his ship to avoid joining his regiment[2]. Our accounts of the victory at Tamynae are very scanty. But it appears that, just as the Athenians were about to attack their besiegers in desperation, Plutarchus boldly deserted to the enemy, carrying with him a part of the Athenian cavalry, who ignorantly followed him. Phocion seized this moment of confusion and made a brilliant charge against the Euboeans, aided by his cavalry, who soon recovered themselves, and gained a decisive victory. The news of this success was brought to the Assembly at Athens by Aeschines and another messenger[3], just as the people were deliberating on the earlier discouraging tidings.

15. Soon after his victory, Phocion returned to Athens with most of his army, leaving only a small garrison, which was captured by the Euboeans and was afterwards ransomed for fifty talents. A peace was then made, recognizing the independence of Euboea[4], after which Athens and Euboea remained unfriendly until 343 –342 B.C., when Philip's aggressions brought them into close friendship under the skilful guidance of Demosthenes[5]. The fleet which carried home the army from Euboea sailed from Styra, and was escorted by all the volunteer trierarchs except Midias with their triremes. Midias loaded his ship with timber and cattle, and material for use in his silver mines, which were probably on the east coast of Attica opposite Styra, and sailed off by himself[6].

[1] Mid. 162.

[2] Mid. 162—164, with notes.

[3] Aeschin. ii. 169—171. See Schaefer ii. p. 83.

[4] On the disgraceful end of this war, see the strong expressions of Demosthenes, v. 5: cf. Mid. 110.

[5] For this period see larger edition of De Corona, pp. 274 and 278—280.

[6] Mid. 167.

III.

THE GREAT DIONYSIA.

1. The Great Dionysia[1] or the City Dionysia was the most magnificent of all the annual festivals of Athens. In the time of Demosthenes it extended from the *προαγών* on the 8th of Elaphebolion, to the 14th or 15th, ending with the Πάνδια[2]. The *προαγών*, an introductory ceremony, with a sacrifice to Aesculapius, occupied the 8th[3]. On the 9th began the Dionysia proper, with the grand procession in the morning, in which an image of Dionysus was carried in solemn state, with singing and dancing, from some temple near the Dionysiac theatre to a small temple near the sacred grove of the Academy, where it was placed on the so-called *hearth-stone* (*ἐσχαρά*). There it remained through the day, worshipped by choruses with lyric songs; and after sunset it was carried back to the city, escorted by a joyous procession with flaming torches, and was placed in the orchestra of the Dionysiac theatre, where it remained during the remaining days of the festival[4]. On the 10th came the contests of lyric choruses in the theatre. The four remaining days of the Dionysia (11—14) were given to dramatic performances, of both tragedy and comedy[5]. The performances of the lyric choruses on the 10th concern us especially here, as it was in one of these that Demosthenes was brutally assaulted in the theatre by Midias.

2. Soon after the beginning of the Attic year (at about midsummer) the choregi (*χορηγοί*) for the various *ἀγῶνες* of the next Dionysia were appointed. The Chief Archon, who directed the festival with the help of the ten *ἐπιμεληταί* (chosen one from each Attic tribe), appointed three of the richest citizens as choregi for tragedy, and five others for comedy[6].

Each of the ten tribes chose one choregus to provide the ten lyric choruses, each of fifty members, of which five were of men and five of

[1] *Διονύσια τὰ μεγάλα, τὰ ἐν ἄστει, τὰ ἀστικά*, or simply *τὰ Διονύσια*. See A. Mommsen, Feste der Stadt Athen, pp. 428, 429.

[2] See § 5 (below).

[3] See Aesch. iii. 67: *τῇ ὀγδόῃ ἱσταμένου τοῦ Ἐλαφηβολιῶνος μηνός, ὅτ' ἦν τῷ Ἀσκληπιῷ ἡ θυσία καὶ ὁ προαγών.*

[4] See Mommsen, pp. 437—439, and the authorities there cited.

[5] See Mommsen, pp. 436—439.

[6] Arist. Const. of Ath. § 56, 3: *ἔπειτα χορηγοὺς τραγῳδοῖς καθίστησι τρεῖς, ἐξ ἁπάντων Ἀθηναίων τοὺς πλουσιωτάτους· πρότερον δὲ καὶ κωμῳδοῖς καθίστη πέντε, νῦν δὲ τούτους αἱ φυλαὶ φέρουσιν.* The appointment of the five choregi for comedy by the Archon belongs to the time of Demosthenes.

boys[1]. The five lyric or dithyrambic choruses of each class contended for the prize of a tripod, which was awarded to the tribe whose chorus was victorious. Ample time was thus secured to ensure the appointment and proper training of the singers required for the great lyric festival. Each choregus provided for the training and support of his chorus; and in general he paid all the expenses of the lyric performance which were not provided for by the state[2]. On an appointed day, the public Assembly met to witness the allotment of a flute-player (*αὐλητής*) to each of ten lyric choregi. When this day came in 351—350 B.C., it appeared that the tribe *Πανδιονίς*, to which Demosthenes belonged, had neglected to provide a choregus for the Dionysia. While the Archon and the *ἐπιμεληταί* were disputing about the responsibility for this neglect, Demosthenes offered himself as voluntary choregus, and his offer was accepted[3]. As this was a specially honorary service, Demosthenes performed it in an unusually dignified and costly manner. The lyric performance consisted of dithyrambic songs, suited to the Dionysiac worship, sung by the choruses to flute music, with festal dances.

3. The judges for both lyric and dramatic contests were appointed in a singularly complicated manner probably to ensure greater impartiality[4]. Some time before the Dionysia, the Senate with the choregi drew up a preliminary list of names, which included many more than could be needed as judges. This gave the senators and the choregi opportunity to put their friends upon this larger list. These names were put into ten urns, one for each tribe. These were sealed by the choregi, and delivered to the public treasurer to be deposited in the Acropolis and to be kept inviolably secret. On each day of the public contests the ten urns were brought into the theatre in the presence of the audience, and the Archon drew one name from each. The ten thus selected were brought before the spectators by the Archon and swore solemnly to judge the competitors impartially. They then sat as judges of the contest of that day, representing the ten tribes. After the performance, each judge wrote on a tablet the names of the competitors in

[1] Ibid. *ἔπειτα παραλαβὼν τοὺς χορηγοὺς τοὺς ἐνηνεγμένους ὑπὸ τῶν φυλῶν εἰς Διονύσια ἀνδράσιν καὶ παισίν*, κ.τ.λ. See Scholia on Aeschines, p. 10.

[2] In tragedy and comedy the choregus provided much less than in the lyric performances. For the choregia in general, see below, IV. 2.

[3] See Mid. § 13.

[4] The account of this method of choice has been made up by combining three passages, each of which gives us certain details without describing the whole. See A. Müller, Bühnenalterthümer, pp. 369—372; Haigh, Attic Theatre, pp. 45—47. These passages are quoted in full by both: Plut. Cimon, 8; Isoc. xvii. 33; Lysias iv. 3.

what he deemed to be the proper order of their rank. But this solemn ceremony did not decide the issue. The ten tablets, each marked with the judge's name, were thrown into an urn, from which the Archon drew five at random, leaving the five others to be destroyed. The majority of the votes on the five tablets which were thus drawn decided the contest, and it was then made known how each of the final judges had voted[1]. If the votes of the five others became known, it was by their own statement. The victorious choregus was then proclaimed by the herald, and he was probably crowned in the orchestra by the Archon and received in the name of his tribe (to which the victory really belonged) the prize of a tripod. The same process was probably repeated before the performance on each of the following days on which prizes were given.

4. The tripod received as a prize was often displayed by the choregus on a public monument; and there was a quarter of Athens near the Acropolis, called Τρίποδες, in which there was a magnificent collection of these monuments, one of which, the choragic monument of Lysicrates, is still standing in its original position, in good preservation. The inscription[2] records that Lysicrates was choregus of the tribe Acamantis, and was victorious with a chorus of boys when Euaenetus was Archon (i.e. in 355—354 B.C.). On one of the days devoted to tragedy, just before the dramatic performance, a herald often appeared in the orchestra and proclaimed that the state had decreed that a crown should be given to some distinguished citizen as a public honour; and no higher distinction could be given to an Athenian than this solemn proclamation at the Dionysia. This was the honour which was to have been given to Demosthenes after the battle of Chaeronea for his public services, when the proclamation and the conferring of the crown were delayed six years by the prosecution of the mover, Ctesiphon, by Aeschines. This was also the occasion when the sons of citizens who had fallen in battle, after being reared by the state until they came to manhood, were brought before the people in full armour, and were released from their

[1] The last device is mentioned in Lys. iv. 3: *ἐβουλόμην δ' ἄν μὴ ἀπολαχεῖν αὐτὸν κριτὴν Διονυσίοις, ἵν' ὑμῖν φανερὸς ἐγένετο ἐμοὶ διηλλαγμένος κρίνας τὴν ἐμὴν φυλὴν νικᾶν· νῦν δ' ἔγραψε μὲν ταῦτα εἰς τὸ γραμματεῖον, ἀπέλαχε δέ.* The speaker here (as Mommsen explains it), the defendant in a suit, was a choregus, and had nominated the plaintiff as judge in making the first list. The latter had voted for the speaker's tribe in the first ballot; but he failed by the lot to have his vote counted in the final vote (*ἀπέλαχε*).

[2] *Λυσικράτης Λυσιθείδου Κικυννεὺς ἐχορήγει, Ἀκαμαντὶς παίδων ἐνίκα, Θέων ηὔλει, Λυσιάδης Ἀθηναῖος ἐδίδασκε, Εὐαίνετος ἦρχει.* See Curtius, Stadtgeschichte von Athen, p. lviii.

guardianship with the public blessing by a solemn proclamation by the herald[1].

5. The four days devoted to tragedy and comedy (11—14 of Elaphebolion) need no special description here. On the evening of the 14th, the official *πανσέληνος*[2], was celebrated the festival of the Πάνδια, which may have been extended into the morning of the 15th. This closed the Dionysia; and the special assembly for discussion of matters connected with the festival, and particularly to consider any lawless proceedings which might call for public action through the *προβολή*[3], followed immediately.

IV.

PUBLIC SERVICES, λητουργίαι, PERFORMED FOR THE STATE BY INDIVIDUALS.

1. An important part of the public expenses of Athens was borne by the richer citizens as an honorary burden, which was at once a duty which their wealth legally imposed on them and a distinction to which their wealth entitled them. It was a characteristic of these services, which added greatly to their dignity and public importance, that while they were imposed by law in strict rotation, so that they could not be called voluntary, those on whom they fell were generally impelled by ambition to perform the service in a more costly manner than their simple duty required. To this much of the magnificence of the great festivals of Athens was due. These services were termed *λῃτουργίαι* ("liturgies"), from *λῇτον* (= *δημόσιον*) and the stem *ἐργ-*[4]. There were two classes of these services, the regular liturgies (*λῃτουργίαι ἐγκύκλιοι*), which were required every year or at certain regular intervals; and the irregular, which were called for in different measure according to the

[1] See the graphic description of this scene in Aeschin. iii. 154.

[2] See Mommsen, p. 448, note 3. M. thinks it is impossible to separate the Full-moon deity Πανδία from the festival of the Πάνδια, which was called a feast of Zeus. See Phot. Lex. Πάνδια: *ἑορτή τις, ἀπὸ* Πανδίας *τῆς* Σελήνης· *ἄγεται δὲ αὕτη τῷ Διΐ, ἐπονομασθεῖσα ἴσως ἀπὸ τοῦ πάντα δεῖν θύειν τῷ Διΐ.* Cf. Poll. i. 37: Διὸς Διάσια καὶ Πάνδια. Πανδία was daughter of Zeus and Σελήνη: see Hom. Hymn xxxii. 15, and Mid. § 9[3].

[3] Mid. §§ 8, 9.

[4] Our word *liturgy*, the *public service* of the Church, from λητουργία in its ecclesiastical sense, is almost a play on the original meaning.

exigencies of the state. Of the former the χορηγία is the most important[1]; of the latter the τριηραρχία, which depended on the naval operations of each year.

A. *The Choregia.*

2. This was the duty of providing for the choruses of tragedy and comedy (when the latter was provided by the state), and for the cyclic choruses of men and boys which sang at the lyric festivals of the Dionysiac worship. It is uncertain how much of the various expenses of the choruses fell to the choregus, and how much was provided by the state or by the lessee of the theatre (the ἀρχιτέκτων). The choregus provided a professional trainer (χοροδιδάσκαλος), who practised the chorus in its singing and its movements in the orchestra; and he trained the dramatic actors with more or less help from the poet. The choregus collected the chorus and paid them; on the other hand, the dramatic actors were provided and paid by the state[2]. The choregus supplied the lyric chorus with their ornaments and their ornamental dress, as Demosthenes furnished his chorus of men with costly robes ornamented with gold and with their crowns; but it is not probable that he supplied the costumes for the dramatic actors. Probably much of the details of the expense was left to the generosity and personal pride of each choregus, and there was naturally much rivalry among the richer citizens to outdo one another in magnificence at the great festivals. Lysias (xxi. 1—5) states the sums expended on various liturgies by a citizen who was unnecessarily liberal in his provision: among these are 30 minae for a tragic chorus, 16 minae for a comic chorus; 50 minae for a chorus of men for the Dionysia, 15 minae for a chorus of boys; 12 minae for a γυμνασιαρχία; and 6 talents for trierarchies in seven successive years (during which he was required to serve at most only twice[3]).

B. *The Gymnasiarchia.*

3. It is now understood that this service in classical times had no reference to the superintendence of gymnastic schools, to which it applied in the imperial age. In the time of Demosthenes it belonged

[1] See Dem. xx. 21: *πόσοι δήποτ' εἰσὶν οἱ κατ' ἐνιαυτὸν τὰς ἐγκυκλίους λητουργίας λητουργοῦντες, χορηγοὶ καὶ γυμνασίαρχοι καὶ ἑστιάτορες; ἑξήκοντ' ἴσως ἢ μικρῷ πλείους σύμπαντες οὗτοι.* The ἀρχιθεωρία is omitted here, as it was not an annual service.

[2] According to Boeckh, Staatsh.[3] i. p. 540, this is shown by the assignment of the dramatic actors directly to the poet, not to the choregus.

[3] See Sandys, Introduction to Leptines, pp. v., vi.

only to the λαμπαδηφορία or *torch race*, and it is only in this use that it can properly be termed a λητουργία. The classical use appears plainly in Isaeus (vi. 60): οὗτοσὶ τετριηράρχηκε, κεχορήγηκε δὲ τραγῳδοῖς, γεγυμνασιάρχηκε δὲ λαμπάδι, and also in an inscription of 346—345 B.C. (Corp. Ins. Att. ii. 3, no. 1229): Ἀκαμαντὶς ἐνίκα λαμπάδι Παναθήναια τὰ μεγάλα· Ξενοκλῆς ἐγυμνασιάρχει. These torch races were a most brilliant part of the Great Panathenaea and other festivals, and this must have been an expensive public service[1]. The mention of the first equestrian torch race in the beginning of Plato's Republic is familiar.

C. *The* ἑστίασις.

4. This unimportant liturgy was the entertainment of the tribe of the ἑστιάτωρ at a simple repast. It was connected with some of the greater festivals, and its object was evidently to keep up a friendly spirit of union among the members of the tribe, who dwelt in three different parts of Attica. Demosthenes mentions it among his own public services: εἱστίακα τὴν φυλὴν ἐγώ (Mid. 156[6]). We have no knowledge of the details; but Boeckh (i. p. 554) roughly estimates the cost for 2000 guests at about 700 drachmas.

D. *The* ἀρχιθεωρία.

5. To the three annual λητουργίαι mentioned by Demosthenes (xx. 21) must be added the ἀρχιθεωρία, the important service of leading the sacred deputations (θεωρίαι) to the Olympic and other great festivals of Greece, and also to Delos and Dodona. The magnificence of these was great and costly, and the expenses were divided on some principle between the state and the ἀρχιθεωρός, much being always left to the ambition and liberality of the latter. When Alcibiades or Nicias led such a deputation, there was an extravagant display of private magnificence and wealth. Demosthenes alludes to his own leadership of the deputation to Nemea in 349 B.C. in Mid. 115[1]: ἀρχιθεωροῦντ' ἀγαγεῖν τῷ Διὶ τῷ Νεμείῳ τὴν κοινὴν ὑπὲρ τῆς πόλεως θεωρίαν[2].

[1] See Boeckh, Staatsh. d. Ath.[3] i. pp. 550—553, with Fränkel's notes 771—778; Bekker's Anecd. p. 228: γυμνασίαρχοι: οἱ ἄρχοντες τῶν λαμπαδοδρομίων εἰς τὴν ἑορτὴν τοῦ Προμηθέως καὶ τοῦ Ἡφαίστου καὶ τοῦ Πανός, ὑφ' ὧν οἱ ἔφηβοι ἀλειφόμενοι κατὰ διαδοχὴν τρέχοντες ἧπτον τὸν βωμόν. Aristotle, Pol. viii. (v.) 8, 20 (1309 A), speaks of τὰς δαπηνηρὰς μὲν μὴ χρησίμους δὲ λητουργίας, οἷον χορηγίας καὶ λαμπαδαρχίας, κ.τ.λ. See Sandys, ibid., pp. viii., ix.

[2] See Boeckh, i. p. 271. The extravagant speaker in Lysias (xxi. 5) reckons only half a talent for sundry ἀρχιθεωρίας καὶ ἀρρηφορίας καὶ ἀλλὰ τοιαῦτα.

E. *The Trierarchy.*

6. The most important of all the public services was that of equipping the navy of Athens, the τριηραρχία. This called for a large amount annually, which differed greatly in different years according to the demands of the navy. The duties of the trierarch varied at different periods; but the state furnished the hull and mast of the ship, sometimes also the rigging and the sail, and paid a fixed sum for the wages and food of the rowers, and in earlier times for the support of the whole crew; while the trierarch rigged the ship, sometimes receiving the material from the public stores (see Ar. Eq. 917), and paid whatever was needed for the rowers and the crew beyond what was allowed by the state. In fact, custom and personal ambition brought upon the trierarch all expenses not assumed by the state which were needed to keep his ship in creditable condition during his time of service; and these expenses varied greatly with the supposed importance of the naval expedition and the enthusiasm of the people concerning it[1].

7. It may fairly be assumed, in the want of positive evidence, that the ancient 48 naucraries (ναυκραρίαι) had some responsibility for supplying the small number of ships which Athens needed before she became a sea-power, i.e. before the Second Persian War. We first hear of a trierarchy, in the Athenian sense of the term, when Themistocles in 483 B.C. persuaded the people to appoint 100 rich citizens to build and equip 100 triremes for the impending war with Aegina, and to pay each of them one talent from the unexpectedly great returns of the public silver mines at Laurium. These were the first trierarchs, and they not only built and equipped but also commanded their ships. The board of ten Generals (στρατηγοί) at first had the duty of assigning the trierarchy to the proper persons and of regulating the settlement of disputed cases. All who had a property of at least three talents were liable to the trierarchy when it came to them in rotation: Demosthenes says that no one is exempt from this except the nine Archons[2]. No one could be required to bear the trierarchy oftener than once in three years, or any liturgy two years in succession, or two liturgies in one

[1] The unusually liberal provision made by the state for the great Sicilian Expedition, described in Thuc. vi. 31, cannot be taken as an example of what was generally done for the navy.

[2] Dem. xx. 28: μηδέν' εἶναι τριηραρχίας ἀτελῆ πλὴν τῶν ἐννέ' ἀρχόντων. It appears, however, from Dem. xiv. 16 that orphans, unmarried ἐπίκληροι, κληροῦχοι, and certain undivided estates were also exempted. See Meier and Schömann, p. 602, n. 321.

year; though ambitious citizens often neglected these rights of exemption[1]. It is in regard to the trierarchy in this earlier form, when it was purely a λῃτουργία, that we chiefly hear of ἀντίδοσις, by which any one who felt himself unjustly burdened by a liturgy could demand of any one whom he believed to be under greater obligation on account of his property that he should either take the burden or exchange property with him (ἀντιδιδόναι). The best known case of this is that of Demosthenes in 364 B.C. We have his own account of it in Mid. §§ 78—80: see note on 78[6], with the quotation of xxviii. 17. To escape antidosis, Demosthenes assumed the trierarchy.

8. Under this earlier form of the trierarchy, before 357 B.C., it was a fixed principle that the trierarch should command his trireme in person, from which duty came his name of τριήραρχος. After the naval disaster in Sicily in 413 B.C., when the burden of fitting out war-ships became especially heavy, a change was permitted by which two could be joint-trierarchs (συντριήραρχοι) of one ship for the year, each commanding for six months and paying half of the expenses. It was such a half-trierarchy which Demosthenes assumed in 364 B.C. Under this divided responsibility an evil crept into the service, by which the trierarch or trierarchs could let out the service to a contractor, who undertook to perform all the duties and to command the ship, the original trierarchs (still so called) remaining at home[2]. This is an evil which, in different forms, was gradually undermining much of the public service of Athens.

The Trierarchic Law of Periander.

9. In 358—357 B.C. the Athenian navy could not supply the triremes required for the famous expedition to Euboea under Timotheus, and the state was compelled to call upon the patriotism of the citizens to provide a fleet under the command of volunteer trierarchs. This was the first of the three naval ἐπιδόσεις mentioned by Demosthenes, who himself gave a trireme of which he was the commander[3]. This

[1] Isaeus vii. 38, τριηραρχῶν τὸν πάντα χρόνον,...οὐδὲ δύο ἔτη διαλιπὼν ἀλλὰ συνεχῶς. Dem. [l.] 9; cf. Mid. § 155[8] and note on Cor. 102[4]. See Sandys, Introd. to Leptines, p. xiii.

[2] The joint trierarchy imposed on Demosthenes had been already let to a contractor: see note on Mid. p. 80[8], ὅσου τὴν τριηραρχίαν ἦσαν μεμισθωκότες.

[3] See Cor. 99 (end): τῶν ἐθελοντῶν τότε τριηράρχων πρῶτον γενομένων τῇ πόλει, ὧν εἷς ἦν ἐγώ. See Mid. § 161, with note.

crisis compelled Athens to adopt an entirely new system of trierarchy and to attempt to regulate it by law. This involved an entire separation of the duty of fitting out and maintaining the ship and that of commanding her in actual service. A body of about 1200 of the richest citizens was established, upon whom all the duties and responsibilities of the trierarchy were imposed. This body, who called themselves συντελεῖς, *partners*, was divided into twenty symmories, each of about sixty members. These symmories could sub-divide themselves into companies (called συντέλειαι), consisting of any number which suited the demands of the navy in any year. As the whole number of the συντελεῖς must change from year to year by deaths or changes in property, the size of the 60 symmories and their sub-divisions was not precisely fixed[1].

10. Those known as the Three Hundred (οἱ τριακόσιοι) in the symmories for the property-tax (see App. v. 2), who were the richest citizens[2], were of course all included in the Twelve Hundred, making about one quarter of the whole body, and being represented by 15 members in each of the 20 symmories of the trierarchy. One of these in each symmory was called the leader (ἡγεμών); and it is highly probable that the 14 others were called the δεύτεροι and the τρίτοι in each symmory, as these with the ἡγεμών are evidently the richest partners in the trierarchy[3]. The poorer partners (i.e. the other 45 in each symmory) are said to have been often oppressed and defrauded by their richer brethren, who apparently had the chief direction of the business of the symmory. Thus what professed to be democratic equality, the division of the whole expense equally among the 1200 without regard to their great distinction of wealth, was fraudulently made the means of a most unjust distinction against the poorer members. The repetition of the charge after nineteen years seems to show that the trick was not uncommon. Demosthenes makes this charge distinctly in the Midiana[4], repeating it in De Corona, that the richer partners let out the trierarchy to a contractor for a talent, and then collected the whole talent from their poorer colleagues, by this pretence of serving as trierarchs gaining

[1] This is the natural explanation of the reference to συντέλειαι of sixteen (which is not a multiple of 1200) in Cor. 104[6].

[2] Cor. 171[5]: εἰ δὲ τοὺς πλουσιωτάτους, οἱ τριακόσιοι.

[3] Cor. 103[3]: πόσα χρήματα τοὺς ἡγεμόνας τῶν συμμοριῶν ἢ τοὺς δευτέρους καὶ τρίτους οἴεσθέ μοι διδόναι; referring to the bribes offered him by the richer classes to induce him not to urge the enactment of his trierarchic law (11, below).

[4] See note on Mid. § 155[4].

exemption for the year from all other liturgies[1]. Demosthenes attributes the violent and unscrupulous opposition of the richer classes to his trierarchic law to the opportunities for such frauds which the system of symmories offered.

The Trierarchic Law of Demosthenes.

11. In 340 B.C. Demosthenes proposed and carried his trierarchic law, which abolished the whole system of symmories and placed the whole plan of the trierarchy on the only equitable basis, that of taxable property or *τίμημα*[2]. We are dependent on two sections of Demosthenes on the Crown (102 and 104) for all that we can state with authority as to the precise provisions of this wise and comprehensive law[3]. From these we see that Demosthenes introduced a strict system of making all the contributors to the trierarchy pay in proportion to their estates, as these were estimated for the property-tax, instead of assessing them all equally as was done under the law of Periander. He tells us that a man under his law might be required to pay the whole expense of two ships, who under the old law paid only one-sixteenth of the expense of one. This might happen when 75 triremes were to be equipped, for which each of the 1200 under the old law would pay $\frac{1}{16}$ of the cost of one (i.e. 375 drachmas); while under the new law it would not be unjust to assess the richest man in Athens at two talents for two whole triremes[4].

12. We have in Cor. 107 strong assurances from Demosthenes of the great blessings conferred by his law on the whole state, especially on the poorer men who were yet of trierarchic rank; but it was severely

[1] Cor. 104: *ἦν γὰρ αὐτοῖς ἐκ τῶν προτέρων νόμων συνεκκαίδεκα λητουργεῖν, αὐτοῖς μὲν μικρὰ καὶ οὐδὲν ἀναλίσκουσι, τοὺς δ' ἀπόρους τῶν πολιτῶν ἐπιτρίβουσιν, ἐκ δὲ τοῦ ἐμοῦ νόμου τὸ γιγνόμενον κατὰ τὴν οὐσίαν* (i.e. *τὸ τίμημα*) *ἕκαστον τιθέναι, καὶ δυοῖν ἐφάνη τριήραρχος ὁ τῆς μιᾶς ἔκτος καὶ δέκατος πρότερον συντελής.*

[2] See App. V. 1, where it will be shown that the *τίμηματα*, on which the property-tax was assessed, were a larger proportion of greater than of smaller estates (*οὐσίαι*). The rich, under the law of Demosthenes, were assessed not simply in proportion to their property, but at a higher rate.

[3] Many supposed details of this law, formerly given as authentic (e.g. by Boeckh), are based on the spurious documents in the text of Cor. 105 and 106, which are now generally recognized as of no authority. See notes on these sections.

[4] A fair comparison would seem to require that the total provision of triremes should be the same in the two cases. But a less exact comparison may perhaps have been made between what a given man was then required to pay and what he once paid under the old law.

attacked even after it was finally passed, and Demosthenes charges Aeschines (Cor. 312) with receiving a fee of two talents from the leaders of the symmories (the Three Hundred) for his successful attack on some of its provisions[1]. But the law was passed only a year before Chaeronea, too late to have its full effect on the naval power of Athens.

V.

THE PROPERTY-TAX, εἰσφορά.

1. The εἰσφορά, to which the verb εἰσφέρω may refer[2], was the regular property-tax of Athens, which was imposed whenever the ordinary revenues of the state were insufficient. We do not know how large an estate must have been to be subject to εἰσφορά, but the lowest limit was probably quite small. Above this limit no one was exempt, not even the descendants of Harmodius the tyrannicide, who were exempt from all λητουργίαι[3]. The εἰσφορά was in no sense a liturgy. The highest class, to which Demosthenes belonged by the original valuation of his paternal property, were taxed upon a τίμημα of one-fifth of their estates (οὐσίαι). Demosthenes complains bitterly (xxvii. 7) that his diminished property continued to be taxed at this rate: εἰς γὰρ τὴν συμμορίαν ὑπὲρ ἐμοῦ συνετάξαντο κατὰ τὰς πέντε καὶ εἴκοσι μνᾶς πεντακοσίας δραχμὰς εἰσφέρειν, ὅσον περ Τιμόθεος ὁ Κόνωνος καὶ οἱ τὰ μέγιστα κεκτημένοι τιμήματα εἰσέφερον. This means that his guardians, to cover their peculations, agreed with the authorities to enter the estate at the rate of 500 drachmas of τίμημα for every 2500 drachmas (25 minae) of οὐσία, whereas he should have been taxed at a much lower rate in a lower class. We do not know how many classes there were, nor at what rate

[1] The statement of Aeschines (iii. 222), ἐξηλέγχθης ὑπ' ἐμοῦ ἑξήκοντα καὶ πέντε νεῶν ταχυναυτουσῶν τριηράρχους ὑφηρημένος, gives no evidence that the reduction in the number of trierarchs (i.e. confining the service to a smaller class) diminished the efficiency of the navy. Under the new law there might be one trierarch for two ships, as under the old law there might be sixteen trierarchs for one (see above, 11). It shows, however, that evidence as to the working of the new law was derived from actual experience.

[2] See Mid. § 203[7], ἔμ' οἴεσθ' ὑμῖν εἰσοίσειν, ὑμεῖς δὲ νεμεῖσθε.

[3] Dem. xx. 18: τῶν γὰρ εἰς τὸν πόλεμον καὶ τὴν σωτηρίαν τῆς πόλεως εἰσφορῶν καὶ τριηραρχιῶν, ὀρθῶς καὶ δικαίως οὐδεὶς ἐστ' ἀτελὴς ἐκ τῶν παλαιῶν νόμων, οὐδ' οὓς οὗτος ἔγραψε, τοὺς ἀφ' Ἁρμοδίου. This means that no one in those classes which were by law required to pay the property-tax or to support the navy was exempt. But Demosthenes (xx. 28) says that the nine Archons were exempt from the trierarchy during their term of office. See App. IV. 7, note 2.

any of the lower classes were taxed. Boeckh, for the purposes of his discussion, assumes arbitrarily four classes, and an estate of 2500 drachmas as the lowest which was liable to the tax. Thus, when a tax (*εἰσφορά*) of five per cent. on each *τίμημα* was voted, an estate of 100 talents in the first class, with a *τίμημα* of 20 per cent., or 20 talents, would pay one talent: while an estate of one talent in the fourth class, with an assumed *τίμημα* of 8 per cent., or 480 drachmas, would pay only 24 drachmas, or $\frac{1}{250}$ ($\frac{24}{6000}$) as much as the man with an estate of 100 talents, whereas, if the assessment were at the same rate for all, he would pay 60 drachmas[1]. Of course the rates here assumed for the lower classes cannot be exact: but Boeckh's tentative statement makes the general principle perfectly clear, especially the "progressive" character of the tax.

2. Those liable to the property-tax were divided into 300 symmories (probably resembling those of the trierarchy), of which the Three Hundred (*οἱ τριακόσιοι*) were the leaders[2]. We know almost nothing of the management of the collection of the tax or of the functions of the symmories. The *εἰσφορά* was assessed at Athens chiefly in time of war, as the regular annual revenues generally defrayed the expenses of the state at other times; so that it is often called a "war-tax." It was, however, the only form of direct taxation employed in Athens in classical times. Boeckh's estimates refer to the period after the great financial reforms of Nausinicus in 378—377 B.C., before which time the *εἰσφορά* was probably regulated by the Solonic census. The first recorded *εἰσφορά* was assessed in 428 B.C. on the revolt of Lesbos[3].

3. Though the *εἰσφορά* was in no sense a *λητουργία*, there was a duty frequently connected with it which belongs strictly to this class of services. This was the *προεισφορά*, the duty of advancing the money assessed on the *εἰσφορά* if it was needed by the government before it was legally due. This was imposed on the richer citizens by some principle of law, and we find it mentioned as a special burden, probably more objectionable because it came suddenly and could not be provided for in advance[4].

[1] See Boeckh, Staatsh. d. Ath.[3] i. pp. 500—601, 613; and the article *εἰσφορά* in Smith's Dictionary of Antiquities.

[2] The leaders of the symmories for the property-tax were the recognized Three Hundred. In the twenty symmories of the trierarchy they appear as the 20 leaders, and probably as the *πρῶτοι* and *δεύτεροι* (see App. IV. 10).

[3] Thuc. iii. 19.

[4] See Dem. xxxvii. 37; [xlii.] 25; [l.] 8, 9: *οὐδε μίαν πούφασιν ποιησάμενος, οὐτε ὅτι τριηραρχῶ καὶ οὐκ ἂν δυναίμην δυο λητουργίας λητουργεῖν,...ἔθηκα τὰς προεισφορὰς πρῶτος.* This recognizes the *προεισφορά* distinctly as a *λητουργία*.

VI.

ON CERTAIN PECULIAR FORMS OF SUITS UNDER THE ATTIC LAW.

These are (A) *εἰσαγγελία*, (B) *προβολή*, (C) *ἔνδειξις*, *ἀπαγωγή*, *ἐφήγησις*, (D) *φάσις*, (E) *δοκιμασία*, (F) *εὔθυναι*, (G) *δίκη ἐξούλης*.

Pollux, in his enumeration of public suits (*γραφαί*), after giving 26 names of well-known suits (among them *γραφαὶ φόνου, ὕβρεως, ἀσεβείας, προδοσίας, παρανόμων, παραπρεσβείας*), adds the following: *δοκιμασία, εὔθυνα, προβολή, φάσις, ἔνδειξις, ἀπαγωγή, ἐφηγεῖσθαι, ἀνδροληψιον, εἰσαγγελία*[1]. These last are distinguished from ordinary public suits by the intervention of the authority of the state in support of the prosecution, which relieved the individual prosecutor of much of his personal responsibility. The *δίκη ἐξούλης* was a private suit, which was employed chiefly in enforcing a right established by the judgment of a court; it therefore had some important characteristics of a public suit. These special suits are discussed here chiefly with the object of showing more clearly by comparison the peculiar character of the *προβολή*, the suit by which Midias was to be brought to trial.

A. Εἰσαγγελία.

1. This important process had more of the character of a state prosecution than any other under the Attic law. The plaintiff, who in ordinary criminal cases appeared as the actual prosecutor before the court, was here supported by the authority of the state in the whole conduct of the suit. The object of the *εἰσαγγελία* was to give the government a position in certain important public cases somewhat similar to that which it holds in all criminal cases under the English law, while it still left the original complainant the nominal leader of the prosecution.

2. The verb *εἰσαγγέλλειν* as a law term originally signified *reporting* or *denouncing* to the Senate of Five hundred or to the Public Assembly a person charged with an offence which appeared to demand state interference, and leaving to one of these bodies a certain responsibility

[1] See Pollux viii. 40, 41. In viii. 50 Pollux includes *ἀνδροληψιον*, so far as it is a form of legal process, under *ἀπαγωγή*. He omits *ἀποστροφή*, which was sometimes the name of a public process by which the state sought to get possession of confiscated property, or property claimed as subject to confiscation, which was in the hands of a private citizen. See Meier and Schömann, pp. 302—312.

for the conduct of the case. Before the discovery of the speeches of Hyperides against Euxenippus and Lycophron in 1847, we had very imperfect knowledge of the cases in which εἰσαγγελία was employed in the time of the orators. Our information came chiefly from the accounts given by the grammarians, of which that of Harpocration (under εἰσαγγελία) is a good example. This says of the principal form of the process: ἡ μὲν γὰρ ἐπὶ δημοσίοις ἀδικήμασι μεγίστοις καὶ ἀναβολὴν μὴ ἐπιδεχομένοις, καὶ ἐφ' οἷς μήτε ἀρχὴ καθέστηκε μήτε νόμοι κεῖνται τοῖς ἄρχουσι καθ' οὓς εἰσάξουσιν, ἀλλὰ πρὸς τὴν βουλὴν ἢ τὸν δῆμον ἡ πρώτη καταίτασις γίνεται, κ.τ.λ. The Lex. Rhet. in the Appendix of Porson's Photius (667, 12) has κατὰ καινῶν καὶ ἀγράφων ἀδικημάτων, and Pollux, viii. 51, τέτακται ἐπὶ τῶν ἀγράφων δημοσίων ἀδικημάτων, in the same general sense of *offences for which no laws provide*. These accounts have caused a common belief that εἰσαγγελία was employed chiefly in cases for which there was no provision of law, and which could not be brought to trial by any of the regular legal processes. On the contrary, it was always a process especially provided for high public offences which were thought to require the immediate and direct interposition of the authority of the state, for which reason they were at once brought before the Senate or the Assembly for decisive action.

3. We must, however, distinguish between εἰσαγγελία in the fifth century B.C. and in the time of the orators. In the earlier times there was no general law regulating the use of the process and restricting it to certain classes of cases. We must not judge the wild illegal action of the Assembly in the so-called trial of the generals who fought at Arginusae in 406 B.C., which was undoubtedly a case of εἰσαγγελία, by the principles which regulated the trials by εἰσαγγελία in the time of Demosthenes. The νόμος εἰσαγγελτικός, which regulated these later trials, did not exist in the fifth century. It is quoted by Hyperides against Euxenippus[1]. We see that the three great classes of offences to which εἰσαγγελία could legally be applied were (1) conspiracy against

[1] Lipsius, in Meier and Schömann, pp. 314, 316, thus restores the law from Hyper. Eux. §§ 7, 8, with additions from §§ 29 and 39 and from Theophrastus and Pollux: ὑπὲρ τίνων οὖν ᾤεσθε δεῖν τὰς εἰσαγγελίας γίγνεσθαι; τοῦτ' ἤδη καθ' ἕκαστον ἐν τῷ νόμῳ ἐγράψατε, ἵνα μὴ ἀγνοῇ μηδείς· (1) ἐάν τις τὸν δῆμον τὸν Ἀθηναίων καταλύῃ ἢ συνίῃ ποι ἐπὶ καταλύσει τοῦ δήμου ἢ ἑταίρικον συναγαγῇ· (2) ἢ ἐάν τις πόλιν τινὰ προδῷ ἢ ναῦς ἢ πεζὴν ἢ ναυτικὴν στρατιάν, [ἢ ἐάν τις εἰς τοὺς πολεμίους ἄνευ τοῦ πεμφθῆναι ἀφικνῆται ἢ μετοικῇ παρ' αὐτοὺς ἢ στρατεύηται μετ' αὐτῶν ἢ δῶρα λαμβάνῃ (παρ' αὐτῶν)·] (3) ἢ ῥήτωρ ὢν μὴ λέγῃ τὰ ἄριστα τῷ δήμῳ τῷ Ἀθηναίων χρήματα λαμβάνων καὶ δωρεὰς παρὰ τῶν τἀναντία πραττόντων τῷ δήμῳ τῷ Ἀθηναίων. The words in 2, ἢ ἐάν τις...δῶρα λαμβάνῃ, are from Theophrastus in the Lex. Rhet. in Porson's Photius, 667, 17, with ἄνευ τοῦ πεμφθῆναι from Pollux, viii. 52.

the government, (2) treason, (3) corruption in a public adviser. One of the most important trials under this law was that of Philocrates, who proposed the disgraceful peace with Philip which bears his name. He was prosecuted by Hyperides in 343 B.C. for corruption in negotiating this peace. The εἰσαγγελία was here proposed in the Senate of Five Hundred, and was referred by that body to a Heliastic court; but Philocrates abandoned the case and went into voluntary exile to escape condemnation. The εἰσαγγελία of Leocrates by Lycurgus after the battle of Chaeronea, in which Leocrates escaped condemnation by a tie vote in the court, is well known. Hyperides, it is true, complains of the tendency to laxity in allowing the process to be used in trifling cases in his own time; but he commends the strict practice of the immediately preceding generation, when five men whom he names were condemned by εἰσαγγελία for treachery or misleading the people; "but," he adds, "not one of these five remained to hear the judgment of the court, but all took flight; and it was then rare to see a man who was indicted by εἰσαγγελία submit to a trial; for such high and notorious offences was the process employed[1]."

4. In the fourth century, the εἰσαγγελία was regularly brought by the complainant before the Senate, the written complaint (called also εἰσαγγελία) being given to the Prytanes, who appointed a day for the consideration of the case by the Senate. The accused was arrested, without a formal summons; and he was imprisoned unless he could furnish three sureties; if he was charged with treason or conspiracy against the government, he was not allowed to remain at large, even on bail. After hearing the case argued, the Senate decided by a secret vote whether it would accept the εἰσαγγελία or not. If it voted in the negative, the accused was of course set free. If it was voted to accept the process, i.e. εἰσαγγέλλειν τὸν φεύγοντα, the question arose whether the Senate should dispose of the case by imposing a fine not exceeding 500 drachmas, the highest penalty which it could inflict, or should send the defendant to the Heliastic court for trial. The procedure in the court in this case probably differed little from that in ordinary suits.

[1] Hyper. Eux. 1, 2. In contrast to these cases, Hyperides calls the later practice πάνυ καταγελαστόν. But he is here belittling the charge against his own client, Euxenippus, which he describes as "falsely reporting his own dreams." But it soon appears that Euxenippus was charged with falsely reporting to the people his dreams in the temple of Amphiaraus at Oropus, where he had slept by order of the Assembly to learn the claim of that hero to one of the hills of Oropus, which had been given to two Attic tribes. This was made a case of an orator corruptly giving bad advice to the people about land claimed as sacred.

The original complainant appeared here as prosecutor; but he was often assisted by advocates (*συνήγοροι*), whom he called in to help him manage the case; Demosthenes thus appeared in court with Hyperides at the trial of Philocrates[1]. In the fifth century we find advocates appointed by the government to conduct the case[2]. The procedure in the Senate in the time of the orators is described in [Dem.] xlvii. 41—43.

5. It is most probable that an *εἰσαγγελία* could also be brought in the first instance directly before the Assembly in the fourth century, as in the fifth. We have strong evidence from Aristotle that this was at least permitted: see Const. of Ath. § 59, 2, *τὰς εἰσαγγελίας εἰσαγγέλλουσιν (οἱ θεσμοθέται) εἰς τὸν δῆμον*. There was a general provision for bringing *εἰσαγγελίαι* before the people in the first meeting (*ἡ κυρία*) of each prytany. We have, moreover, a vote of the Assembly in the middle of the fourth century, providing that the Senate by its *προβούλευμα* shall bring before the people at their first meeting those who have made a raid into the territory of Eretria, that they may be punished therefor[3]. Then the Assembly proposed to take action only after receiving authority from the Senate, and its vote used almost precisely the same language in which Xenophon describes the action of the Assembly on the trial of the generals of Arginusae in 406 B.C.[4] We may therefore safely assume that the Assembly never proceeded to actual trial and condemnation in *εἰσαγγελία* without the authority of a *προβούλευμα* of the Senate. In the fourth century the *εἰσαγγελία* was seldom, if ever, tried by the Assembly, but was generally sent to a court for trial[5]. The court which tried the *εἰσαγγελία* consisted of 1001 judges until the third century B.C., when the number was increased to 1501[6].

6. It appears, therefore, that in the time of the orators the *εἰσαγγελία* was a regular Athenian process, regulated by law, and almost always finally tried before the Heliastic court, whether it was originally brought forward in the Senate or the Assembly; and we hear of no cases of injustice caused by popular excitement or by hasty action of the people. We have also a much earlier case of an *εἰσαγγελία*

[1] See Dem. xix. 116.

[2] See § 6 (below) with note 2.

[3] Corp. Ins. Att. ii. 65: *τὴν βουλὴν προβουλεύσασαν ἐξενεγκεῖν εἰς τὸν δῆμον εἰς τὴν πρώτην ἐκκλησίαν, ὅπως ἂν δίκην δῶσιν κατὰ τοὺς νόμους*. This is a case of *εἰσαγγελία*, in which the Assembly took the initiative by calling on the Senate to bring the offenders before it.

[4] Xen. Hell. i. 7, 7: *τὴν δὲ βουλὴν (ἔδοξε) προβουλεύσασαν εἰσενεγκεῖν ὅτῳ τρόπῳ οἱ ἄνδρες κρίνοιντο*: cf. i. 7, 9.

[5] See Meier and Schömann, pp. 322, 323, cf. pp. 138, 140.

[6] See Poll. viii. 53.

brought against Antiphon in 411 B.C., to punish him for the leading part which he took in establishing and supporting the oligarchy of Four Hundred, which had just been overthrown. At this exciting crisis we should expect to find the restored democracy eager for revenge against those who had been faithless to the cause of freedom. On the contrary, their moderate behaviour receives the warm and unusual commendation of Thucydides[1]. The public Assembly took no part in the prosecution of Antiphon; but an εἰσαγγελία was brought in the Senate against him and Archeptolemus for a treacherous visit to Sparta "to the great damage of the city of Athens"; and the ten generals with ten senators were directed to prosecute the accused before the court, which was instructed to try them for treason and to sentence any one of them who should be found guilty according to the form of law provided for traitors. The accused were both found guilty after a formal hearing, and were condemned to death; their property was to be confiscated, their houses levelled, and neither of them was to be buried within the Attic dominions[2].

7. In striking contrast to this dignified legal procedure was the so-called trial of the generals of Arginusae in the public Assembly in 406 B.C. The charge of leaving their men to perish on the wrecks of the ships after the battle came up incidentally in a meeting of the people, when it was too late to finish the discussion. It was voted to postpone the case to the next meeting, and in the meantime to ask for a vote of the Senate about the manner of conducting the trial. This vote was brought before the Assembly at their next meeting: it provided for hearing the accusers and the accused, then taking a vote by ballot by tribes, and ordering a sentence of death and confiscation of property in case of conviction. The Senate further provided that the accused generals should be condemned or acquitted collectively by a single vote of the people, whereas the law required that each case should be decided by a separate vote[3]. So far as we can understand the confused account of Xenophon, the chief discussion arose concerning this last question. Prosecutions (κλήσεις) were threatened and even

[1] Thuc. viii. 97: καὶ οὐχ ἥκιστα δὴ τὸν πρῶτον χρόνον ἐπί γε ἐμοῦ Ἀθηναῖοι φαίνονται εὖ πολιτεύσαντες· μετρία γὰρ ἥ τε ἐς τοὺς ὀλίγους καὶ τοὺς πολλοὺς ξύγκρασις ἐγένετο, καὶ ἐκ πονηρῶν τῶν πραγμάτων γενομένων τοῦτο πρῶτον ἀνήνεγκε τὴν πόλιν.

[2] Plutarch, Lives of X. orators, I. (end).

[3] The decree of Cannonus, which had the force of a law, forbade the condemnation of more than one person by a single vote. This is plain from Xen. Hellen. i. 7, 34, κατὰ τὸ Καννωνοῦ ψήφισμα κρίνεσθαι τοὺς ἄνδρας δίχα ἕκαστον· ἡ δὲ τῆς βουλῆς ἦν μιᾷ ψήφῳ ἅπαντας κρίνειν. See Arist. Eccles. 1089.

instituted against those who proposed this illegal action; but this was met by shouts from the multitude that *it was hard if the people could not have their own way*, and it was even threatened to condemn the objectors *by the same vote with the generals* if their opposition continued. This seems to have silenced the opposition. But a new and stronger objection was now made: the fifty Prytanes, who had high authority over the conduct of the Assembly, all refused to have the illegal motion put to vote. But the threats of the multitude, who had now become desperate in their wild excitement, brought forty-nine of the Prytanes to at least silent acquiescence in putting the illegal motion to vote. The fiftieth was no other than Socrates, son of Sophroniscus, who happened to be the ἐπιστάτης, or president of the day, chosen by lot from the Prytanes; and he resolutely refused to put the question[1]. This stopped the proceedings for a time; but later, perhaps on another day, when there was another president, the debate was resumed, and the people at first voted to follow the law and vote on each person separately. This was met, as before, with threats of prosecution; and at last it was decided to judge all by one vote, and eight generals were condemned to death at once, though only six of them were present, and though there had been no evidence, so far as we know, which inculpated even all of these. We are told by Xenophon that the Athenians not much later bitterly repented of this scandalous procedure and took steps to punish those who were concerned in it, though with little success[2]. This discreditable performance shows the fatal danger of giving unlimited judicial power to a popular assembly, and the necessity of regulating such a process as εἰσαγγελία by a strict law, as was done when the democracy became settled after the Thirty Tyrants. After the terrible example of the condemnation and execution of the generals in 406 B.C., sober-minded men must have felt that such wild procedure could no longer be allowed to desecrate the name of law in Athens;

[1] Xenophon omits to tell us how Socrates had the sole authority to stop the vote in the Assembly, or how his opposition was overcome. But in the Memorabilia, i. 1, 18, he adds ἐπιστάτης ἐν τῷ δήμῳ γενόμενος: so in iv. 4, 2. In Plat. Apol. 32 B, we have the following: καὶ ἔτυχεν ἡμῶν ἡ φυλὴ Ἀντιοχὶς πρυτανεύουσα ὅτε ὑμεῖς τοὺς δέκα στρατηγοὺς τοὺς οὐκ ἀνελομένους τοὺς ἐκ τῆς ναυμαχίας ἐβούλεσθε ἀθρόους κρίνειν, παρανόμως, ὡς ἐν τῷ ὑστέρῳ χρόνῳ πᾶσιν ὑμῖν ἔδοξε. τότ' ἐγὼ μόνος τῶν πρυτάνεων ἠναντιώθην ὑμῖν μηδὲν ποιεῖν παρὰ τοὺς νόμους, καὶ ὑμῶν κελευόντων καὶ βοώντων, μετὰ τοῦ νόμου καὶ τοῦ δικαίου ᾧμην μᾶλλόν με δεῖν διακινδυνεύειν ἢ μεθ' ὑμῶν γενέσθαι μὴ δίκαια βουλευομένων, φοβηθέντα δεσμὸν ἢ θάνατον. In [Plat.] Axioch. 368 E the case is said to have been postponed until the next day, when there would be a new ἐπιστάτης: this is highly probable, unless we suppose that Socrates was illegally deposed and another ἐπιστάτης chosen for the same day.

[2] See Xen. Hellen. i. 7, 7—35; Grote VIII. Chap. 64.

and we hear no more of such travesties of justice. The power of the Assembly in εἰσαγγελία was checked by the control of the Senate on one side and by the courts on the other[1], so that the process became one of the most dignified and impartial forms of trial known to the Attic law.

8. The responsibility taken by the government in εἰσαγγελία appears in the freedom of the prosecutor from the risks which were incurred by him in ordinary public suits, where if he did not receive one-fifth of the votes of the court he paid a fine of 1000 drachmas and was subject to a partial ἀτιμία by which he lost the right to bring a similar suit in the future. (See larger edition of De Corona, p. 331, note 3.) It is probable that in the earlier times the plaintiff in an εἰσαγγελία was exempt from both of these risks, and in later times from the ἀτιμία only[2].

Most, perhaps all, of the cases in which εἰσαγγελία was allowed might be dealt with by other processes. Demosthenes says of Aeschines, when prosecuting him on the γραφὴ παραπρεσβείας for misconduct on the embassy to Philip, that if he had had his deserts he would long ago have been tried by εἰσαγγελία. Demosthenes speaks with pride of the great variety of legal processes which the Attic law allows for the same offence, giving a prosecutor his choice[3].

9. There was a second kind of εἰσαγγελία, which could be brought before the Chief Archon to punish κάκωσις, *maltreatment* of orphans or ἐπίκληροι by their legal guardians, and some other similar offences[4]. This suit was ἄνευ ὕδατος, i.e. the speakers were not restricted in their time in addressing the court. Further, the plaintiff was not obliged to deposit court-fees (πρυτανεῖα), nor did he suffer any penalty if he failed to receive the votes of one-fifth of the judges. We know almost nothing of the details of this process.

[1] See §§ 3, 6 (above), and Meier and Schömann, pp. 140, 324, with Fränkel, Att. Geschworengerichte, pp. 78, 79.

[2] See Meier and Schömann, p. 952; and Pollux viii. 52, 53. For the whole subject of εἰσαγγελία see Meier and Schömann, pp. 312—335; and Fränkel, pp. 71—87.

[3] Dem. xix. 103: *εἴ γέ τι τῶν προσηκόντων ἐγίγνετο, ἐν εἰσαγγελίᾳ πάλαι ἂν ἦν· νῦν δὲ διὰ τὴν ὑμετέραν εὐήθειαν καὶ πραότητ' εὐθύνας δίδωσι*: cf. also 116. See xxii. 26—28, quoted in § 19 (below), where the various processes allowed in prosecuting theft are described in a half-comic style.

[4] Harpocration, under εἰσαγγελία: *ἑτέρα δὲ εἰσαγγελία λέγεται ἐπὶ ταῖς κακώσεσιν· αὗται δ' εἰσὶ πρὸς τὸν ἄρχοντα, καὶ τῷ διώκοντι ἀζήμιοι, κἂν μὴ μεταλάβῃ τὸ πέμπτον μέρος τῶν ψήφων.* See also under κακώσεως. See Isae. iii. 46, 47; Dem. xxxvii. 46; Meier and Schömann, pp. 332, 333.

10. There was also a third kind of εἰσαγγελία, most of our knowledge of which comes from a passage in the speech against Midias, §§ 86, 87. This was called εἰσαγγελία τῶν διαιτητῶν (or εἰς τοὺς διαιτητάς), being brought before the whole body of Public Arbiters against members of that board who were charged with misconduct as Arbiters. The case of the Arbiter Straton was thus brought by Midias in his absence before a meeting of the board to which he had not been legally summoned; and he was defaulted and punished by total ἀτιμία[1].

B. Προβολή.

11. Complaints against certain offences were sometimes brought before the Public Assembly, not, as in εἰσαγγελία, with a view to a state prosecution of the accused, but merely to secure a vote of the people in favour of the prosecutor's case, with the support of which he might proceed to bring his case to trial by the ordinary forms of law. This was called προβολή, and the entering a complaint with this view was called προβάλλεσθαί τινα, corresponding to γράφεσθαί τινα in an ordinary public suit. The proper meaning of προβάλλεσθαι here is *to propose* or *to bring before the people*: hence Demosthenes says of Midias, προὐβαλόμην ἀδικεῖν τοῦτον περὶ τὴν ἑορτήν, *I brought before the people a declaration that this man was guilty of an offence concerning the festival*[2]. Anyone who proposed to bring a προβολή first gave to the prytanes a written statement of his complaint, and they brought it before the Assembly through the presiding proedri of the day[3]. The people heard both sides of the case argued, and then by a show of hands (χειροτονία) voted on the question of accepting the προβολή or dismissing the complaint. A vote adverse to the accused was called καταχειροτονία, and one in his favour was called ἀποχειροτονία[4]. The latter of course put an end to the case, so far as this peculiar process was concerned. The former authorized the prosecutor to carry his case to the Heliastic court, with the powerful support which such a popular vote would be likely to give him. The six Thesmothetae were the presiding magistrates (ἡγεμόνες δικαστηρίου), who brought cases of προβολή before the court[5].

[1] For the particulars of this suit, see Mid. §§ 86, 87, with the notes and references.

[2] See note on Mid. § 1[5]. [3] See note on Mid. § 9[4].

[4] The corresponding verbs are καταχειροτονῶ and ἀποχειροτονῶ.

[5] This once disputed question is now settled by Arist. Const. Ath. § 59, 2: τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον,...καὶ τὰς προβολὰς ἁπάσας εἰσάγουσιν οὗτοι (οἱ θεσμοθέται).

This important process, which gave the Assembly full power to express its judgment on certain grave offences which affected the state as a whole, while the final decision as to the guilt of the accused and the penalty was left to the courts of law, restored to the people some of the judicial power which they had lost by the reforms in the conduct of *εἰσαγγελία*. Indeed, the *προβολή* gave the Assembly the power of passing a more solemn and effective judgment in certain cases than it retained in *εἰσαγγελία* after the *νόμος εἰσαγγελτικός* was enacted.

12. The persons against whom *προβολή* could be employed were (so far as we know), first, magistrates charged with misdemeanours, secondly, sycophants[1], thirdly, those accused of violating the sanctity or decency of certain religious festivals, especially the Dionysia and the Eleusinian Mysteries[2]. The assault of Midias upon Demosthenes has made the last case by far the most notorious; indeed, the suit against Midias is the only one in which we have any argument preserved. The essential consideration which determined an accuser to prefer the *προβολή* to other processes which he might have employed was a belief that his own grievance was a public grievance, by which the state suffered in either its dignity or its interests, and a hope that the people would adopt it as such. This was especially the case when a personal grievance involved the desecration of a public religious festival; and the moral support of the Athenian people was strongly needed when the accused was a man of great wealth and powerful influence, whom a common citizen would hesitate to prosecute in the ordinary way on his own personal responsibility. This was precisely the case in the *προβολή* of Demosthenes against Midias.

13. The law required that a special meeting of the Assembly should be held on the day after the Great Dionysia, in the Dionysiac Theatre, and that offences against the dignity of the festival should then be considered and *προβολαί* might be voted against the offenders[3].

[1] See Harpocration under *καταχειροτονία*: *ἔθος ἦν Ἀθήνησι κατὰ τῶν ἀρχόντων καὶ κατὰ τῶν συκοφαντῶν προβολὰς ἐν τῷ δήμῳ τίθεσθαι· εἰ δέ τις καταχειροτονηθείη, οὗτος εἰσήγετο εἰς τὸ δικαστήριον.* Isoc. xv. 314, *κατὰ δὲ τούτων (συκοφαντῶν) γραφὰς μὲν πρὸς τοὺς θεσμοθέτας, εἰσαγγελίας εἰς τὴν βουλήν, προβολὰς δ' ἐν τῷ δήμῳ, νομίζοντες τοὺς ταύτῃ τῇ τέχνῃ χρωμένους ἁπάσας ὑπερβάλλειν τὰς πονηρίας.*

[2] For two other cases to which *προβολή* was thought to apply, see Meier and Schömann, p. 340, note 396. We have no knowledge of the manner in which the *προβολή* was employed against either magistrates or sycophants: see Meier and Schömann, pp. 337, 338. The so-called *προβολαί*, by which (according to Xen. Hellen. i. 7, 35) it was proposed to deal with those who were responsible for the illegal proceedings at the trial of the generals of Arginusae, can have no connection with anything which was known as *προβολή* in the following century.

[3] See Mid. §§ 8, 9.

A similar law provided for the same process in the case of offenders against the dignity of the Eleusinian Mysteries; and the respect due to various other religious festivals was doubtless enforced in the same way[1]. Another law provided that it should be deemed an outrage to arrest any person present at any of the great religious festivals or to take security from him for a debt or to use violence against him in any manner[2]. In defiance of these laws and of the religious spirit which prompted them, the rich and influential Midias, who had for many years abused and insulted Demosthenes whenever an opportunity offered itself, took the solemn occasion when Demosthenes appeared as choregus at the Great Dionysia, amid all the state and ceremony which dignified this greatest of the annual festivals of Athens, and struck him several times in the face with his clenched fist (κονδύλοις). Demosthenes, thus insulted in the performance of a public and a sacred duty as he was officiating in the worship of Dionysus in a consecrated place, made no resistance at the time: but he brought the case before the Assembly a few days later, and asked for a vote of προβολή condemning Midias for his sacrilegious outrage. The case was argued on both sides, and Midias with his friends appealed earnestly to the people not to condemn him; but the προβολή was passed by an absolutely unanimous vote. It shows the excitement of the people against Midias and their sympathy for Demosthenes when the memory of the outrage was fresh, that even the personal friends of Midias thought it best or safest not to appear publicly as sustaining him by their votes[3].

14. This adverse vote (καταχειροτονία) against Midias did not act as a judicial condemnation in any way; nor did it, like the vote of the Senate or the Assembly in an εἰσαγγελία, make the state in any sense a party in the subsequent trial; still less did it give the Assembly any authority to proceed with the case judicially. The Senate had no right to interfere in any manner. The vote of the people simply gave the prosecutor's case in the trial in court the *praeiudicium* which such a vote necessarily carried with it, leaving it, however, to the court to give whatever weight it pleased to the καταχειροτονία, and further leaving it to the prosecutor's discretion whether he would carry the case into court at all or rest satisfied with the moral effect of the popular vote. There were many considerations which might easily induce a young and ambitious politician like Demosthenes to shrink from a prolonged

[1] Mid. §§ 10, 175 (end).

[2] Mid. §§ 11, 12: for the severity with which violations of this law were treated, see Mid. §§ 175—180.

[3] See Mid. § 2[5].

and bitter contest with a powerful and unscrupulous enemy like Midias; and perhaps we should not be too greatly disappointed when we hear that Demosthenes finally sacrificed his strong case and the unanimous popular vote and dropped his suit before it came into court, receiving from Midias only the paltry sum of 30 minae[1].

15. The procedure in the trial of the προβολή in court appears to have had nothing to distinguish it from ordinary suits. But there are many expressions in the oration against Midias which show that the court here followed some peculiar principles in estimating the penalty of a convicted defendant[2]. It is now generally admitted that in other ἀγῶνες τιμητοί, where the court had the duty of τίμησις (fixing the penalty of the defendant who lost his case), the judges were obliged to choose one of two alternatives, that proposed by the plaintiff (generally in the indictment or complaint) and that proposed by the defendant if the court decided against him on their first vote. The plaintiff, however, might mitigate the severity of his original proposal at any time before the court voted on the penalty[3]. On the other hand, there has been great divergence of opinion as to the power of the court in respect to the penalty in the προβολή. Many have even held the opinion that a καταχειροτονία of the Assembly was decisive as to the guilt of the accused, and that the court could not consider this question but were confined to estimating the penalty; though it was admitted that this might be made so small as practically to leave the accused unpunished[4]. But the expressions of Demosthenes on this subject show most clearly that he was much disturbed by the fear of a genuine acquittal of Midias[5]. These show also that he recognized the right of the court to choose between more than the two ordinary alternatives. Besides acquittal, he alludes to death or confiscation of the entire estate of Midias (§ 152), to an insignificant fine (§ 151), to "whatever may please the court" (§ 21); and he tells of a case in which a citizen who attempted

[1] See Appendix II. § 12, Note 3.

[2] See Mid. §§ 21, 97, 102, 151, 152, 176, 199, 204, 216, 218, 222.

[3] See the discussion in Meier and Schömann, pp. 216—219, which makes it plain that all the allusions to this matter can be satisfactorily explained on the view taken in the text.

[4] See, for example, K. F. Hermann's learned discussion *De Probole* in the Göttingen *Index Scholarum* for the winter of 1847—48, of which important parts are in Dindorf's Oxford Demosthenes, vi. 744—751. Hermann believed that the καταχειροτονία of the Assembly was a decisive vote of condemnation, which left to the court no question but that of the magnitude of the penalty. It is hard to reconcile this view with several of the passages cited in Note 2.

[5] See Mid. §§ 199, 216 (end), 218, 222.

to arrest a man at the Eleusinia to secure two talents, which had been awarded him by the judgment of a court, was convicted in a προβολή and compelled to give up his claim to the two talents and also to pay damages to the plaintiff for the time spent by him in waiting for the trial of the προβολή. This shows an arbitrary method of τίμησις, which is absolutely inconsistent with the procedure of the ordinary courts. In the last case the plaintiff had originally proposed death as the penalty, which he was afterwards moved to reconsider, though the court was ready to accept it[1].

16. On the whole, it seems most probable that in the προβολή the two parties made their separate proposals of the penalty, as in other suits, but that the court was not bound to accept either proposal and could even impose a sentence which had not been proposed at all, even one which would not have been allowed in other forms of trial. We are not informed whether the prosecutor in a προβολή was relieved from either or both of the liabilities of an ordinary plaintiff in case he failed to get one-fifth of the votes of the court. The analogous case of εἰσαγγελία (see § 8, above) makes it probable that this was so[2].

C. Ἔνδειξις, Ἀπαγωγή, Ἐφήγησις.

17. These are three forms of summary process by which a dangerous person, of whose guilt—or of whose performance of the act charged as criminal—there could be no doubt, could be put under arrest or punished without the delay incident to an ordinary γραφή. Which of them should be adopted in any case often depended on special circumstances or on the pleasure or convenience of the prosecutor. Pollux says that ἔνδειξις was an information laid before a magistrate of an acknowledged crime, *which required not trial but punishment.* He adds that it was used especially against public debtors, persons who entered places from which they were legally excluded, and homicides[3]. It will be remembered that public debtors, after their debts were overdue,

[1] See Mid. § 176 with the note.

[2] See Meier and Schömann, p. 344.

[3] Poll. viii. 49, 50: ἔνδειξις δὲ ἦν πρὸς τὸν ἄρχοντα ὁμολογουμένου ἀδικήματος μήνυσις, οὐ κρίσεως ἀλλὰ τιμωρίας δεομένου...καὶ αὕτη μὲν γίνεται περὶ τῶν οὐ παρόντων, ἡ δὲ ἀπαγωγὴ, ὅταν τις δν ἔστιν ἐνδείξασθαι μὴ παρόντα ἐπ᾽ αὐτοφώρῳ λαβὼν ἀπάγῃ. ὁ δὲ κίνδυνος ἐν χιλίαις· μάλιστα δὲ τοὺς ὀφείλοντας τῷ δημοσίῳ ἐνεδείκνυσαν, ἢ τοὺς κατιόντας ὅποι μὴ ἔξεστιν, ἢ τοὺς ἀνδροφόνους. ἐφηγεῖσθαι δέ ἐστιν, ὅταν τις δι᾽ ἀσθένειαν ἀπαγαγεῖν οὐ θαρρῶν ἐπάγῃ τὸν ἄρχοντα ἐπ᾽ οἰκίαν οὗ τις τούτων ἀποκρύπτεται. Here ἄρχοντα refers to any magistrate under whose ἡγεμονία the case fell.

became *ipso facto* ἄτιμοι, that those who were thus under ἀτιμία were legally excluded from all public buildings and places, including the Assembly, the Senate, and the courts, and especially from all temples and sacred grounds; and that homicides who had left the country to avoid trial, in accordance with the Draconic law, were, like other banished persons, subject to the severest ἀτιμία if they returned to Attica.

18. When Pollux speaks of ἔνδειξις as applicable to *persons not present* (περὶ τῶν οὐ παρόντων), he is pointing out the great practical distinction between ἔνδειξις and ἀπαγωγή, that the former s used against persons who are supposed to be guilty of an offence (as when ἄτιμοι enter forbidden places), but cannot be (or are not) arrested in the actual commission of the act; while ἀπαγωγή may be used to arrest an offender, against whom in his absence (μὴ παρόντα) ἔνδειξις could have been employed, provided he is caught *flagrante delicto* (ἐπ' αὐτοφώρῳ) in committing the illegal act, so that he can be seized by any citizen and carried before the proper magistrate. This distinction shows why ἔνδειξις was specially used against public debtors, homicides, and other ἄτιμοι who exercised ordinary civic rights, but whose chief offence was their previous crime rather than their present violation of the law[1]. All such cases could also be dealt with by ἀπαγωγή. Ἀπαγωγή was also employed against those who were known to the law as κακοῦργοι, including burglars, highwaymen, pirates, kidnappers, cut-purses, plunderers of temples and tombs, and those guilty of theft of the graver class[2], who were all punished by death. Here doubtless ἔνδειξις was allowed; but ἀπαγωγή alone could deal with the criminal at the moment of committing the crime.

19. Pollux goes on to say that, if a man has not the strength or the courage to seize a criminal caught ἐπ' αὐτοφώρῳ and drag him to the magistrate, he can bring the magistrate (or his servants) to the spot and let them arrest him: this was called ἐφήγησις (ἐφηγεῖσθαι). Here it would generally be impossible for the magistrate to catch the criminal ἐπ' αὐτοφώρῳ, and we must assume that the testimony of the prosecutor

[1] See Pollux, quoted in last note: μάλιστα...ἐνεδείκνυσαν. The single case of ἔνδειξις mentioned in our oration, § 182, ἐνδειχθέντα δικάζειν ὀφείλοντα τῷ δημοσίῳ, comes under this head: ἀπαγωγή would have been impossible here without arresting the man as he was sitting as a δικαστής.

[2] This was theft by day of property worth more than 50 drachmas, theft from a public gymnasium or from a harbour of anything worth more than 10 dr., or theft by night of any kind. See Dem. xxiv. 113: τῷ δ' ἁλόντι ὧν ἀπαγωγαί εἰσιν οὐκ ἐγγυητὰς καταστήσαντι ἔκτεισιν εἶναι τῶν κλεμμάτων, ἀλλὰ θάνατον τὴν ζημίαν.

on this point was decisive. This appears when Pollux says ὅταν...ἐπάγῃ τὸν ἄρχοντα ἐπ' οἰκίαν οὗ τις τούτων ἐπικρύπτεται, showing that the arrest might be made at a distance from the scene of the crime. The infrequent mention of ἐφήγησις may lead us to think that many cases called ἀπαγωγή were really ἐφήγησις, the only difference being that between arresting a criminal with one's own hands and calling on an officer of the law to arrest him, the legal effect being precisely the same. We have a graphic account of the great variety of forms allowed by the Attic law in dealing with theft (Dem. xxii. 26): ἔρρωσαι καὶ σαυτῷ πιστεύεις· ἄπαγε, ἐν χιλίαις δ' ὁ κίνδυνος. ἀσθενέστερος εἶ· τοῖς ἄρχουσιν ἐφήγου· τοῦτο ποιήσουσιν ἐκεῖνοι. οὐδέτερον βούλει τούτων· γράφου. καταμέμφει σαυτὸν καὶ πένης ὢν οὐκ ἂν ἔχοις χιλίας ἐκτεῖσαι· δικάζου κλοπῆς πρὸς διαιτητήν, καὶ οὐ κινδυνεύσεις. Here ἀπαγωγή, ἐφήγησις, γραφή, and the δίκη κλοπῆς are all mentioned[1].

20. In all three of the processes in question the persons summarily arrested were brought before the θεσμοθέται or the ἕνδεκα. The ἕνδεκα, who had charge of the prison, could execute at once all κακοῦργοι who were brought to them if they confessed their guilt; otherwise they were sent to trial. In the greater part of the cases here included the punishment was death. In ἔνδειξις the magistrate was obliged to order the arrest of the accused without delay and with no previous summons; if the accused could not offer three good sureties, he was at once committed to prison for trial.

We must refer to Meier and Schömann, pp. 270—294, for a complete discussion of these three processes, including that of two kinds of ἀπαγωγὴ φόνου (both distinct from the γραφὴ φόνου) which are described by Demosthenes, xxiii. 28—33 and 80.

(**Ἀνδροληψιον.**) 21. Pollux in viii. 41 includes ἀνδροληψιον (or ἀνδροληψία) with the nine special forms of public suits which he adds to his list of γραφαί. But in 50 he more properly describes ἀνδροληψιον (so far as it is a process of the Attic law at all) under the head of ἀπαγωγή[2]. When an Athenian had been killed by violence in a foreign state, which refused either to bring the murderer to justice in its own courts or to surrender him for trial in Athens, the relatives of the murdered man had a right to seize (at most) three citizens of the offending state, to be held

[1] The double mention of the fine of 1000 drachmas for not getting one-fifth of the votes (κίνδυνος ἐν χιλίαις) shows that this danger existed in both ἀγαγωγή and ordinary γραφή. It is hardly possible that ἔνδειξις and ἐφήγησις, which applied to the same cases, were not also included. See ἐν χιλίαις in Poll. viii. 49.

[2] See p. 151, Note 1.

as hostages until satisfaction should be given by surrender or punishment of the murderer[1]. The expression of Pollux, ἄχρι τριῶν ἀπαγαγεῖν, shows that this seizure was a form of ἀπαγωγή.

D. Φάσις.

22. Φάσις was a process employed against those who were charged with violating the revenue laws (for example, by avoiding custom duties), or any laws which regulated foreign trade or the working of the public mines, and, in general, against all who were accused of appropriating public property to their own use. It was further used against guardians who defrauded their wards, as these were treated as under public guardianship; and against those who illegally cut down olive trees in Attica[2].

23. The verb φαίνειν signified either *to lay information* by φάσις against a person (φαίνειν τινά), or *to seize* a thing by the process of φάσις (φαίνειν τὸ πλοῖον). Aristophanes uses it in several witty passages which illustrate both usages. In Eq. 300 Cleon thus threatens the sausage-seller: καί σε φαίνω τοῖς πρυτάνεσιν ἀδεκατεύτους τῶν θεῶν ἱρὰς ἔχοντα κοιλίας, i.e. he brings a φάσις against him for having wares for sale which had not paid the tithe (δεκάτη) and were therefore confiscated to the Gods (ἱρά). In Acharn. 541, 542, εἰ Λακεδαιμονίων τις ἐκπλεύσας σκάφει ἀπέδοτο φήνας κυνίδιον Σεριφίων, he supposes a Spartan revenue officer to have *seized* from an Athenian ship in the Spartan dominions and *sold as confiscated goods* a pup belonging to a citizen of Seriphus (one of the smallest Athenian islands), and asks "*would you not have launched three hundred ships of war?*" See also Acharn. 819—827 and 908—917.

24. Different kinds of φάσις were brought before different magistrates to be presented to the court. Those relating to the revenues and the mines came before the Thesmothetae; those against guardians before the Chief Archon; those concerning the laws of trade before the ten ἐπιμεληταὶ τῶν ἐμπορίων; and those concerning the appropriation of public property before the σύνδικοι[3]. The Heliastic court which tried a case of φάσις consisted of 201 judges if the amount claimed as damages was not above 1000 drachmas, and of 401 if the amount was

[1] See Harpocration under ἀνδροληψία: τὸ ἁρπάζειν ἄνδρας ἔκ τινος πόλεως· ἠνεχύραζον γὰρ τὴν ἔχουσαν πόλιν τὸν ἀνδροφόνον καὶ μὴ προιεμένην αὐτὸν ἐς τιμωρίαν.

[2] Pollux viii. 47, 48: he adds sycophants to the list, but it is probable that this means only those who maliciously gave false information in cases of φάσις (Meier and Schömann, p. 299). See also Harpocration and Photius under φάσις.

[3] See Meier and Schömann, p. 299.

greater. These are the numbers of the judges in private suits, as we now know from Aristotle[1]; and this is explained by the double nature of φάσις, which was distinctly a public suit (γραφή) but had several characteristics of a private suit (δίκη). One half of the damages in φάσις went to the prosecutor as informer[2], and this "moiety system" was as offensive a feature in the Attic process as it has been in recent times where it has been employed to enforce revenue laws. This was in direct opposition to the general principle that all fines and damages in public suits fell to the state. It was consistent with this principle that the prosecutor in φάσις was required to deposit πρυτανεῖα for the part of the damages which would fall to his share if he gained the case[3]. Pollux states that he was also liable to the ἐπωβελία if he failed to get one-fifth of the votes. These are both penalties to which the plaintiff in a private suit was liable[4].

E. Δοκιμασία.

25. The verb δοκιμάζω, without reference to law or politics, means *to scrutinize or test* the fitness of any person or thing for any service, or *to approve* or *accept* after such testing. The noun δοκιμασία denoted any such *scrutiny* or *test*; and especially at Athens it denoted the scrutiny by which the fitness of any person to hold any office or to enjoy any right (even that of citizenship) was tested. With many kinds of political δοκιμασία we are not concerned here, for instance the δοκιμασία εἰς ἄνδρας, as they stand in no connection with any legal process, and are not included under δοκιμασία as a form of γραφή in the list of Pollux. There were, however, two kinds, the δοκιμασία ἀρχόντων and the δοκι-

[1] Arist. Const. of Ath. § 53, 3.

[2] Τὰ ἡμίση τῶν φανθέντων [Dem.] lviii. 13.

[3] The πρυτανεῖα were deposited by each party in a private suit before the trial, being three drachmas on claims from 100 to 1000 drachmas, and thirty on larger claims. The losing party forfeited his own deposit and refunded that of his opponent. Both went to the state as costs of the court.

[4] See Poll. viii. 48. The ἐπωβελία was one-sixth of the amount claimed in a private suit, which the plaintiff paid to the state in most private suits if he did not get one-fifth of the votes of the court. As the φάσις was partly a private suit, it might be assumed that the plaintiff would be liable to forfeit both πρυτανεῖα and ἐπωβελία in the cases supposed, both of course being reckoned only upon the half the damages which would have fallen to his share if he had gained the suit. But it has been seriously questioned whether such an accumulation of penalties was actually enforced. See Meier and Schömann, p. 301, with Meier's note 298. It is sometimes thought that Pollux (as above cited) confounded the ἐπωβελία with the πρυτανεῖα. See Boeckh, Staatsh. d. Ath. p. 438, with Fränkel's note 564 (574).

μασία ῥητόρων, from each of which a peculiar legal process might arise, which was itself called δοκιμασία[1].

26. (**δοκιμασία ἀρχόντων.**) All magistrates of Athens (all ἄρχοντες in the widest sense), whether chosen by vote or by lot, and all members of the Senate of Five Hundred, were required by law to pass this scrutiny before entering on their offices. Aristotle, from whom we now have definite information on many points, says that the nine Archons passed their δοκιμασία in the Senate of Five Hundred, while other magistrates, including the secretary of the Thesmothetae, passed theirs in both the Senate and a court. "Formerly," he says, "rejection by the Senate (ἀποδοκιμάζειν) was final: but now there is an appeal to the court, so that the court has absolute power in the δοκιμασία[2]." The Senate in each year subjected the senators chosen for the following year individually to δοκιμασία, but with the right of appeal to a court in later times, as in the case of the nine Archons[3]. At this δοκιμασία Demosthenes was accused by Midias when he was chosen Senator for 349—348 B.C.[4] The questions regularly asked at the δοκιμασία related chiefly to legitimacy of birth and general performance of duties to the state and to parents, rather than to special competency to perform the duties of the office[5]. It is most probable that any citizen was allowed to appear at the δοκιμασία with definite charges against a candidate on any points which would affect his title to the office: thus Midias probably urged against Demosthenes the charges which he had elsewhere made, of λιποτάξιον, of complicity in murder, and of responsibility for sending help to Plutarchus in Euboea[6]. Witnesses could be summoned and examined

[1] Pollux viii. 44: *δοκιμασία δὲ τοῖς ἄρχουσιν ἐπηγγέλλετο, καὶ τοῖς κληρωτοῖς καὶ τοῖς αἱρετοῖς, εἶτ' ἐπιτήδειοί εἰσιν ἄρχειν εἴτε καὶ μή· καὶ τοῖς δημαγωγοῖς, εἰ ἡταιρηκότες εἶεν ἢ τὰ πατρῷα κατεδηδοκότες ἢ τοὺς γονέας κεκακωκότες ἢ ἄλλως κακῶς βεβιωκότες· ἀτίμους γὰρ αὐτοὺς ἐχρῆν εἶναι καὶ μὴ λέγειν.*

[2] Arist. Const. of Ath. § 55, 2.

[3] Ibid. § 45, 3: *δοκιμάζει δὲ (ἡ βουλὴ) καὶ τοὺς βουλευτὰς τοὺς τὸν ὕστερον ἐνιαυτὸν βουλεύσοντας καὶ τοὺς ἐννέα ἄρχοντας. καὶ πρότερον μὲν ἦν ἀποδοκιμάσαι κυρία, νῦν δὲ καὶ τούτοις ἔφεσίς ἐστιν εἰς τὸ δικαστήριον.*

[4] For the date of the first senatorship of Demosthenes, see Appendix II. § 8, Note 5.

[5] Arist. Const. of Ath. § 55, 3: *ἐπερωτῶσιν δ', ὅταν δοκιμάζωσιν, πρῶτον μέν, τίς σοι πατὴρ καὶ πόθεν τῶν δήμων; καὶ τίς πατρὸς πατήρ; καὶ τίς μήτηρ καὶ τίς μητρὸς πατὴρ καὶ πόθεν τῶν δήμων; μετὰ δὲ ταῦτα, εἰ ἔστιν αὐτῷ Ἀπόλλων πατρῷος καὶ Ζεὺς ἑρκεῖος, καὶ ποῦ ταῦτα τὰ ἱερά ἐστιν· εἶτα ἡρία εἰ ἔστιν καὶ ποῦ ταῦτα· ἔπειτα γονέας εἰ εὖ ποιεῖ, καὶ τὰ τέλη τελεῖ, καὶ στρατείας εἰ ἐστράτευται. ταῦτα δ' ἀνερωτήσας, κάλει, φησὶν, τούτων τοὺς μάρτυρας. ἐπειδὰν δὲ παράσχηται τοὺς μάρτυρας, ἐπερωτᾷ, "τούτου βούλεταί τις κατηγορεῖν;"*

[6] See Mid. 111: *καὶ τελευτῶν βουλεύειν μου λαχόντος δοκιμαζομένου κατηγόρει.* Midias probably made his attack on Demosthenes in the Senate, as otherwise the trial in court, which could have taken place only if Demosthenes had been rejected by

before the Senate, and the case of any candidate might be argued on both sides; and the same process might be repeated in the court when this had jurisdiction. This became therefore a regular trial for the accused before the Senate or the Heliastic court upon the charges brought forward by the accuser[1]. If the candidate was defeated at this trial, he was of course declared ineligible for the office in question; but the consequences might extend still further. For example, if a charge of λιποτάξιον was sustained by a vote of the Senate or court, this made the accused *ipso facto* ἄτιμος, and he became subject to all the disabilities of this condition, though his ἀτιμία had never been otherwise declared. Acquittal by the court probably annulled the previous rejection by the Senate.

27. (**δοκιμασία ῥητόρων.**) The application of δοκιμασία to the public orators (ῥήτορες) of Athens is in itself a departure from strict usage, for the orators were in no sense magistrates, were not elected or chosen by lot, and were subject neither to εὔθυναι nor to the ordinary δοκιμασία unless they held some special office (ἀρχή). Every citizen in full possession of his rights (ἐπίτιμος) could address the Assembly or plead his cause in the courts, and this constituted him a ῥήτωρ, so far as the law was concerned. A person under full ἀτιμία, however, was not allowed even to appear in the Assembly, much less to address it; and any qualified citizen could call for the enforcement of this rule by a legal process. We have seen that ἔνδειξις or ἀπαγωγή could be brought against an ἄτιμος who showed himself in public places; and homicides and other high offenders, whose presence was a pollution and an insult to the dignity of the state, were properly dealt with by these processes, and the severe punishment (generally death) which followed conviction was no obstacle to their employment. But when a person who was notoriously guilty of some lesser offence or one of less moment to the state at large, but still punishable by ἀτιμία, exercised the rights of a citizen in appearing before the Assembly or in the courts of law, a less

the Senate and he had appealed, would have been mentioned. It is plain that he did not lose the confidence of the new Senate, when we find him sent as ἀρχιθεωρός to the Nemean festival and appointed to perform the sacrifices at the εἰσιτήρια of the Senate (Mid. 114, 115). The offences mentioned in Mid. 110 are probably those which Midias brought forward at the δοκιμασία, and the whole account in 114, 115 shows that none of these was accepted by the Senate as ground for rejecting Demosthenes.

[1] Three speeches of Lysias (Nos. 16, 26, 31) were made in the Senate in cases of δοκιμασία ἀρχόντων: 26 was against a candidate for the office of Chief Archon; and 31 was against and 16 in defence of a Senator elect. See 16, § 9: *δοκεῖ δέ μοι, ὦ βουλή, ἐν μὲν τοῖς ἄλλοις ἀγῶσι περὶ αὐτῶν μόνων τῶν κατηγορημένων προσήκειν ἀπολογεῖσθαι, ἐν δὲ ταῖς δοκιμασίαις δίκαιον εἶναι παντὸς τοῦ βίου λόγον διδόναι.*

summary and less vindictive process could be employed. This was the formal summons to a δοκιμασία (δοκιμασίαν ἐπαγγεῖλαι) in which such a person's right to appear as a ῥήτωρ was to be tested[1]. Our chief knowledge of this process comes from the speech of Aeschines against Timarchus, in which Timarchus is accused of disgraceful offences which would legally subject him to ἀτιμία.

28. When Aeschines appeared to render his account (εὔθυναι) for his conduct on the embassy to Philip which negotiated the peace with Philip in 346 B.C., he was met by Timarchus and others, one of whom was probably Demosthenes, with a γραφὴ παραπρεσβείας, *an indictment for misconduct as ambassador*. This was received by the Logistae, who presided at the εὔθυναι; and they would naturally have brought the case for trial to the Heliastic court. Aeschines at once challenged the right of Timarchus to appear as an accuser in the courts, on the ground that he had once lived a shameless life (αἰσχρῶς βεβιωκέναι). When he next met Timarchus in the Assembly, he served on him a formal summons to a δοκιμασία ῥητόρων (§ 27). He there charged him with two crimes, which would subject an Athenian to ἀτιμία, ἑταίρησις and squandering his paternal property[2]. The former was the principal charge, and Aeschines had no difficulty in establishing it to the satisfaction of the court. It is indeed doubtful whether any serious defence was made by Timarchus, who was declared ἄτιμος and therefore unable to proceed with his suit against Aeschines[3]. This unfortunate issue of the first attempt to prosecute Aeschines caused his trial on the γραφὴ παραπρεσβείας to be postponed two years, from 345 to 343 B.C.

F. Εὔθυναι.

29. As our chief knowledge of δοκιμασία as a legal process comes from the prosecution of Timarchus by Aeschines, so that of εὔθυναι as a form of γραφή comes from the speeches of Demosthenes and Aeschines on the γραφὴ παραπρεσβείας (de Falsa Legatione). All magistrates of Athens, as they were subject to δοκιμασία before taking office, were required to present themselves for εὔθυναι at the end of their term of service *to render an account* of their proceedings. At the εὔθυναι (as at the δοκιμασία) any citizen might appear and bring charges of misconduct

[1] Aeschin. i. 2: εἰδὼς δ' αὐτὸν ἔνοχον ὄντα οἷς ὀλίγῳ πρότερον ἠκούσατε ἀναγιγνώσκοντος τοῦ γραμματέως, ἐπήγγειλα αὐτῷ τὴν δοκιμασίαν ταυτηνί. Cf. ibid. 64, 81.

[2] Aeschin. i. 28—30, where other offences are enumerated which would disqualify a person from appearing as a public speaker.

[3] Dem. xix. 257, 284; Aeschin. i. 186.

against the officer; and the legal process to which such an accusation might lead was still called εὔθυναι. In 343 B.C. Demosthenes renewed the prosecution of Aeschines which had been dropped for two years by the ἀτιμία of Timarchus (§ 28). Aeschines still remained ὑπεύθυνος for the embassy of 346 B.C., and the renewed suit still had the technical name of εὔθυναι, as growing out of his original εὔθυναι[1]. The court, which on account of the importance of the case probably consisted of 1501 judges, sat under the presidency of the ten Logistae, to whose jurisdiction the εὔθυναι belonged. The speeches of Demosthenes (No. xix.) and Aeschines (No. ii.), περὶ τῆς παραπρεσβείας, are both preserved. That of Demosthenes is the longest speech which we have of any Greek orator. Though it bears marks of incompleteness in many parts and in the order of its argument, having little of the exquisite finish and the elaboration of the argument which we find in the oration on the Crown, it is still one of the greatest legal efforts of Demosthenes. The reply of Aeschines, on the other hand, though eloquent and effective in some passages, is weak and even trifling as a reply to the powerful attack of Demosthenes. But he was supported in court and assisted in his argument by the powerful Eubulus, and the case against him doubtless suffered from the disgraceful failure of the earlier attempt of Timarchus. It is sometimes doubted whether the case ever came to trial at all; but the best testimony makes it most probable that the trial took place and that Aeschines was acquitted by a majority of only thirty votes[2].

G. Δίκη Ἐξούλης.

30. Though the δίκη ἐξούλης is strictly a private suit, it differs from ordinary δίκαι in the interposition of the authority of the state to make it more effective, by which it has some of the most essential characteristics of a public suit. In most private suits the plaintiff to whom damages or restitution of property had been adjudged was expected to secure

[1] See Dem. xix. 17: ἐκ τῆς πρεσβείας...ἥσπερ εἰσὶν αἱ νῦν εὔθυναι. So 132: εἰς τὸ δικαστήριον εἰσελθόντας τὰς ὑπὲρ τούτων εὐθύνας δικάσοντας: cf. 256. See Cor. 124: ἐν ταῖς εὐθύναις, ἐν ταῖς γραφαῖς, ἐν ταῖς ἄλλαις κρίσεσιν. One of the strongest arguments for the actual trial and acquittal of Aeschines is found in Cor. 142[4]: ἐκεῖνο φοβοῦμαι, μὴ τῶν εἰργασμένων αὐτῷ κακῶν ὑποληφθῇ οὗτος ἐλάττων· ὅπερ πρότερον συνέβη ὅτε τοὺς ταλαιπώρους Φωκέας ἐποίησεν ἀπολέσθαι τὰ ψευδῆ δεῦρ' ἀπαγγείλας. This can refer to nothing but the failure to convict Aeschines for his crimes in connection with the embassy of 346 B.C.

[2] See Lives of X. Orat. vi. 840 C. For a fuller account of the prosecution of Aeschines for παραπρεσβεία, see Essay IV. in the larger edition of De Corona.

the execution of the judgment for himself[1]. A term was generally fixed, before which the damages must be paid or the property in question delivered, the settlement being made privately between the parties. It was of course optional with the plaintiff to extend the time of grace (*προθεσμία*)[2]. If settlement was delayed beyond the time allowed, the defendant became *ὑπερήμερος*, and the plaintiff could at once seize his property to satisfy the claim. Movable property was naturally the most liable to seizure. The plaintiff could always, if he saw fit, take real estate as security; and the process of seizure was called *entry* (*ἐμβατεία* or *ἐμβατεύειν*)[3]. If he was obstructed in the seizure or entry, either by the defendant or some one acting in his interest, he could bring an action of *ejectment* (*δίκη ἐξούλης*) against the offender which brought to trial the question of his right to take possession of the property. If the defendant lost this suit, he was compelled to pay to the state a fine equivalent to the value of the property in question. This of course made him at once a debtor to the state for the full amount of the previous judgment, with the *ἀτιμία* and all the other consequences which fell upon one who was indebted to the state for a fine in a public suit. This additional liability of course made it much easier for the plaintiff to enforce his original claim, for the *δίκη ἐξούλης* could not be satisfied by the defendant simply paying his fine to the state and leaving the private claim unsettled.

31. We have two speeches of Demosthenes, those against Onetor (xxx. and xxxi.), delivered in a *δίκη ἐξούλης*. Demosthenes gained his *δίκη ἐπιτροπῆς* against his guardian Aphobus, who was required by the judgment to pay him ten talents[4]. When the time for payment came, he made an entry (*ἐμβατεία*) upon a piece of land which he believed to belong to Aphobus. In so doing he was met and "ejected" by Onetor, whose sister Aphobus had married, and who alleged that a divorce had taken place and that he held the land in question as security for the repayment of his sister's dowry. Demosthenes then brought a *δίκη ἐξούλης* against Onetor. The *ὑπόθεσις* of the first speech in this suit (Dem. xxx.) makes the nature of the process clear: *ἐπεὶ δ' Ἄφοβος ἐάλω, ἐπὶ τὴν οὐσίαν αὐτοῦ τὸν ῥήτορ' ἀφικνούμενον καὶ εἰς τὰ χωρία εἰσιόιτ' ἐξήλασεν Ὀνήτωρ, φάσκων τῆς ἀδελφῆς εἶναι τὰ χωρία, εἰς τὴν προῖκ' ἀποτιμηθέντα. διόπερ ἐξούλης αὐτῷ δικάζεται ὁ Δημοσθένης, ὡς ἐκ τῶν Ἀφόβου πρότερον*

[1] For an exception in certain *δίκαι ἐμπορικαί* see [Dem.] xxxiii. 1.
[2] [Dem.] xlvii. 49, 50.
[3] [Dem.] xliv. 19: *ἐνεβάτευσεν εἰς τὴν οὐσίαν.*
[4] Dem. xxix. 60: *διὰ τούτῳ* (Ἀφόβῳ) *τῶν δέκα ταλάντων ἐτίμησαν.*

νῦν δ' ἑαυτῷ γεγενημένων ἐξεληλαμένος, φάσκων οὐκ εἰληφέναι τὴν προῖκα Ἄφοβον, ἀλλὰ τὴν γυναῖκα μόνον· τὴν γὰρ προῖκα μὴ βουληθῆναι Ὀνήτορα δοῦναι.... Τὸ δὲ τῆς ἐξούλης ὄνομα Ἀττικόν· ἐξείλλειν γὰρ ἔλεγον τὸ ἐξωθεῖν καὶ ἐκβάλλειν βίᾳ[1].

32. It thus appears that the δίκη ἐξούλης was a suit *charging* the defendant *with ejectment*, as the δίκη κλοπῆς was a suit *charging one with theft*. It had many analogies to the ejectment-suit of the older English law, with its fictitious *entry* and *ouster*. In the argument of Demosthenes against Onetor there is no issue on the original question of the liability of Aphobus or on that of the right of Demosthenes to take possession of his property; nor is there any evidence adduced to prove the act of ejectment (ἐξαγωγή): the two issues are, first, whether the dowry was ever paid to Aphobus by Onetor as his sister's κύριος, and, secondly, whether the divorce was not a fiction, devised to give Onetor plausible ground for holding the land of Aphobus. It is highly probable that the entry and ouster here were often more or less fictitious, consisting of a claim to a piece of land and a refusal to surrender it, or perhaps of a mere formal entry and a peaceable exclusion[2].

Though the δίκη ἐξούλης appears to be a most efficient and even formidable process to compel an unwilling defendant to pay his dues, it was not always successful. Demosthenes complains that he has never received the smallest part of the 1000 drachmas to which he was entitled by the condemnation of Midias in the δίκη κακηγορίας, though he entered against him a δίκη ἐξούλης which he was never able to bring to trial[3].

[1] See Harpocration, under Ἐξούλης: ὄνομα δίκης ἣν ἐπάγουσιν οἱ φάσκοντες ἐξειργεσθαι τῶν ἰδίων κατὰ τῶν ἐξειργόντων. εἴρηται μὲν οὖν τοὔνομα ἀπὸ τοῦ ἐξείλλειν, ὅ ἐστιν ἐξωθεῖν καὶ ἐκβάλλειν· δικάζονται δὲ ἐξούλης κἀπὶ τοῖς ἐπιτιμίοις οἱ μὴ ἀπολαμβάνοντες ἐν τῇ προσηκούσῃ προθεσμίᾳ, ὑπερημέρων γιγνομένων τῶν καταδικασθέντων, οἱ δὲ ἁλόντες ἐξούλης καὶ τῷ ἑλόντι ἐδίδοσαν ἃ ἀφῃροῦντο αὐτὸν, καὶ τῷ δημοσίῳ κατετίθεσαν τὰ τιμηθέντα.

[2] See Meier and Schömann, pp. 667, 477 (with the references). In Isaeus, iii. 62, there is a suggestion of a woman performing the ἐξαγωγή in defence of her land: ἐβάδιζεν ἂν ἡ γνησία εἰς τὰ ἑαυτῆς πατρῷα, καὶ εἴ τις αὐτὴν ἀφῃρεῖτο ἢ ἐβιάζετο, ἐξῆγεν ἂν ἐκ τῶν πατρῴων.

[3] See Mid. § 81: ἀλλὰ λαχὼν ἐξούλης πάλιν οὐδέπω καὶ τήμερον εἰσελθεῖν δεδύνημαι· τοσαύτας τέχνας καὶ σκήψεις οὗτος εὑρίσκων ἐκκρούει.

VII.

ON CERTAIN SUPPOSED CASES OF THE NOMINATIVE WITH THE INFINITIVE.

1. In Mid. $203^{7,8}$, I have followed the MSS. in reading ἔμ' οἴεσθ' ὑμῖν εἰσοίσειν, ὑμεῖς δὲ νεμεῖσθε; with ὑμεῖς δ' οὐκ ἐμβήσεσθε; and in $204^{9,10}$, καὶ ἡμᾶς μὲν ἀποψηφιεῖσθαί σου (sc. νομίζεις), σὲ δ' οὐ παύσεσθαι; where most recent editors have νεμεῖσθαι, ἐμβήσεσθαι, and σὺ (for σὲ). It seems to me that ὑμεῖς νεμεῖσθαι, ὑμεῖς ἐμβήσεσθαι, and σὺ παύσεσθαι here have no good authority in Greek usage. The emendations are made in accordance with a supposed principle, now often accepted, which Krüger states as follows in the 4th edition of his Grammar, § 55, 2, Anm. 1: "In zusammenhängender Rede steht das Subject des Infinitivs, wenn eins da ist, im *Nominativ*, wenn es das Subject des den Infinitiv regierenden Verbums bloss *erneuert*; im Accusativ (wie im Lateinischen in beiden Fällen) wenn es ein neuer, verschiedener, Begriff ist." It is often given as a rule, that when the subject of an infinitive in Greek is the same as that of its leading verb it is in the nominative, otherwise in the accusative. As the subject of the infinitive in the former case is generally omitted altogether, as in νομίζει εἶναι σοφός or βούλεται εἶναι πλούσιος, examples are not very common. We have the accusative in Dem. xxiv. 8: βουλοίμην ἂν ἐμέ τε τυχεῖν ὧν βούλομαι, τοῦτόν τε παθεῖν ὧν ἄξιός ἐστιν. Does any one think that this is exceptional, and that βουλοίμην ἂν ἐγώ τε τυχεῖν would be possible here?

2. I think that this supposed construction of the nominative cannot be established for either ἐγώ, σύ, ἡμεῖς, or ὑμεῖς. The standard example for the usage in question is Thuc. iv. 28, οὐκ ἔφη αὐτὸς ἀλλ' ἐκεῖνον στρατηγεῖν, where the direct form is οὐκ αὐτὸς (sc. στρατηγῶ) ἀλλ' ἐκεῖνος στρατηγεῖ. But here αὐτός in both forms is the intensive *adjective* pronoun, and it is nominative in the *oratio obliqua* on the well known principle governing all adjectives with the infinitive referring to an omitted subject, as in βούλεται εἶναι σοφός, φησὶν εἶναι σοφός. A large part of Krüger's examples have αὐτός or αὐτοί, and establish nothing as to the case of an *expressed* subject of the infinitive. Gerth-Kühner, § 476, 1, states the principle correctly, and quotes Dem. xxiv. 8 as a good example; but he seems to look upon αὐτός as an exception, and

adds that σφεῖς sometimes follows the example of αὐτοί. I have long maintained that αὐτός is never a personal pronoun (i.e. a substantive) *in the nominative*: αὐτὸς ἔφη τοῦτο is not *he said this*, but he *said this himself, ipse dixit*. In the oblique cases it is the regular personal pronoun of the third person. But if this is not admitted in full, it must at least be conceded that in none of the cases like οὐκ ἔφη αὐτὸς ἀλλ' ἐκεῖνον στρατηγεῖν is αὐτὸς subject of στρατηγεῖν like ἐκεῖνον.

3. If we leave αὐτός out of the account, we find the cases of subject nominative practically reduced to a few of the rare indirect reflexive σφεῖς, which form a class by themselves. These occur chiefly in Thucydides with a few in Plato. I find the following in the indexes of Thucydides:

iv. 114, 5: τὰ δὲ πρότερα οὐ σφεῖς ἀδικεῖσθαι, ἀλλ' ἐκείνους μᾶλλον ὑπ' ἄλλων κρεισσόνων. (*Or. obl.*)

vi. 34, 2: νομίσαντες, εἰ τάδε ποιήσονται, καὶ ἂν σφεῖς ἐν πόνῳ εἶναι.

viii. 76, 3: καὶ δυνατώτεροι εἶναι σφεῖς ἔχοντες τὰς ναῦς...τῶν ἐν τῇ πόλει. (*Or. obl.*)

v. 46, 3: εἰπεῖν ἐκέλευον ὅτι καὶ σφεῖς, εἰ ἐβούλοντο ἀδικεῖν, ἤδη ἂν Ἀργείους ξυμμάχους πεποιῆσθαι. (Anacoluthon.)

v. 55, 1 (depending on preceding ἔφη): σφεῖς μὲν γὰρ περὶ εἰρήνης ξυγκαθῆσθαι, τοὺς δὲ Ἐπιδαυρίους...ἀντιτετάχθαι. Cod. M. has σφᾶς.

v. 61, 2 (end): καιρῷ γὰρ παρεῖναι σφεῖς (sc. ἔλεγον).

In vi. 49, 2, we have in all MSS.: αἰφνίδιοι δὲ ἦν προσπέσωσιν,... μάλιστ' ἂν σφᾶς περιγενέσθαι. (*Or. obl.*) Many modern editions read σφεῖς here by conjecture.

In Plato we have the familiar example in Rep. vii. 518 c: φασὶ... οὐκ ἐνοῦσης ἐν τῇ ψυχῇ ἐπιστήμης σφεῖς ἐντιθέναι and at least one other instance.

In Dem. xxx. 23, we have οὐκ ἠδύναντο πεῖσαι τὴν προῖκ' ἀποδεδωκέναι σφᾶς μαρτυρεῖν.

The authority for the nominative of the first and second persons with the infinitive is found chiefly in a few passages of Demosthenes. Three are in Mid. 203 and 204 (quoted above in 1), where the construction is not found in the MSS.; a fourth is the familiar passage in the Third Philippic, 74[1], where all modern editors read εἰ δ' οἴεσθε Χαλκιδέας τὴν Ἑλλάδα σώσειν ἢ Μεγαρέας, ὑμεῖς δ' ἀποδράσεσθαι τὰ πράγματα οὐκ ὀρθῶς οἴεσθε. There Σ alone has ἀποδράσεσθαι, the other MSS. having ἀποδράσεσθε, making the construction precisely like ὑμεῖς δὲ νεμεῖσθε in Mid. 203. Now one of the most common errors in Σ is αι for final ε or ε for final αι in verbal forms. Of this several cases occur in the

Midiana and De Corona. See Cor. 10^{5}, where Σ has καταψηφίσασθαι; § 25^{2}, σκέψασθαι Σ; 50^{6}, παρηνωχλησθαι Σ; § 69^{3}, ἐναντιοῦσθε Σ. So Mid. 14^{2}, ἀπεδέξασθαι Σ^{1}; 40^{9}, πείθεσθαι Σ^{1}; § 73^{1}, σκέψασθαι Σ^{1}; 88^{3}, ἐπεβούλευσαι Σ^{1}; in 88^{6} Blass emends θεάσασθε (all MSS.) to θεάσασθαι. I feel therefore that I have the best grounds for reading ὑμεῖς δὲ νεμεῖσθε, ὑμεῖς ἐμβήσεσθε, and σὲ δ' οὐ παύσεσθαι in Mid. 203, 204, while I have no hesitation in reading ὑμεῖς δ' ἀποδράσεσθε in Phil. iii. 74. The peculiar use of the half-reflexive σφεῖς in a very few cases cannot establish a general usage for all the personal pronouns, a usage which has no support in the general principle of the language, by which the subject of the infinitive is regularly accusative.

VIII.

THE MANUSCRIPTS OF THE ORATION AGAINST MIDIAS.

The text of this edition is chiefly based on seven manuscripts, which represent different classes and different conditions of the text.

1. Σ or S, of the tenth century, written on parchment, no. 2934 of the Greek MSS. in the National Library of Paris, is the chief of all the MSS. of Demosthenes. It first appears in Europe in the possession of Janos Lascaris, a learned Greek from Constantinople, who was sent twice to Greek lands by Lorenzo de' Medici in search of manuscripts for the Medici Library in Florence. About 1492 he brought back at least 200 volumes for Lorenzo and many for himself. In the list of his own books we find the first mention of Σ, as Δημοσθένης, περγαμηνόν[1]. This manuscript is traced by its number through Rome to the library of Catherine de' Medici, after whose death it passed into the Royal Library, where it now remains. It still has a splendid binding of red leather, bearing the united arms of France and Navarre and the monograms of Henry IV., with the date 1602. The manuscript is written with the greatest care, in large square minuscules. It gives by far the best text of Demosthenes; and with its recently discovered companion (L, or Laur. S)[2] it forms a distinct class, with the purest and the oldest text, known as the ἀρχαία ἔκδοσις, as opposed to the δημώδης, *vulgata*,

[1] See the Vatican MS. published by K. K. Müller in the *Centralblatt für Bibliothekswesen* for 1884, p. 407.

[2] See the account of L (with a fuller account of Σ) in the larger edition of De Corona, p. 345. L does not contain the Midiana.

which is represented by F, B, and A 1[1]. It is also thought to represent the celebrated manuscripts known as "Atticiana."

The publication of a photographic facsimile of Σ, edited with a valuable introduction by Henri Omont (2 vols. Paris, 1892), has brought this precious document within the reach of scholars in all parts of the world.

2. A, Augustanus primus (A 1), formerly at Augsburg (whence its name), now in the Royal Library at Munich (no. 485), on parchment, of the 11th century, was the chief basis of the text established by Reiske, which was current before Bekker's study of Σ. It represents a text far below that of Σ in purity, differing from the δημώδης. as represented by F and B, chiefly by having been much corrected by grammarians.

3. F is a parchment MS. of the 11th century in St Mark's Library in Venice, no. 416. With B it represents the original δημώδης, emended by better manuscripts.

4. B (or Bav.) in the Munich Library, no. 85, is a paper MS. of the 13th century, which is either a direct copy of F, or at least from the same original source. Both F and B profess to have been corrected from two older and better MSS., διώρθ[ωται] ἐγ δύο Ἀττικιανῶν; of which Usener says "die Berichtigung ist nicht ernst zu nehmen."

5. Three MSS., P, Y, and O, form a class by themselves, a "familia media et mixta" (Vömel), their text standing between that of Σ and the ordinary δημώδης. The critical notes to the Midiana show how often these three MSS. agree, frequently supported by Σ. P is in the Laurentian Library of Florence (lix. 9), on vellum, probably of the 11th century. Y, in the National Library of Paris, no. 2935, is, according to Usener, the best representative of a class which has the purer vulgate text, not yet revised and emended by grammarians into the ordinary δημώδης. It therefore stands nearer than MSS. like A 1 to the text of Σ. O is a paper manuscript of the 14th century, once in Antwerp, afterwards collected by Bekker in Paris, and later discovered by Vömel in Brussels.

I am indebted to the facsimile of Σ in the Library of Harvard College for my revision of the text of Σ, in which I have discovered several readings not previously mentioned, especially one of some importance (in § 41[6])[2]. For readings of the other manuscripts I am

[1] See note on Mid. 133[5], where the corruption of the ἀρχαία, ἀργυρᾶς τῆς ἐκ Εὐβοίας, first to Ἀργούρας τῆς ἐξ Εὐβοίας, and then to the δημώδης, ἐξ Ἀργούρας τῆς Εὐβοίας, is shown.

[2] See note on Mid. 41[4].

indebted to earlier editions, chiefly to the critical notes in Dindorf's Oxford edition of Demosthenes and to Weil's critical notes.

Obelized Passages.

In Σ, F, and B there are critical marks in the margin, the ὀβελός (marked –) and the διπλῆ ὡβελισμένη (marked ⊁), denoting that certain grammarians doubted the genuineness of the passages thus marked[1]. Although these include many of the passages to which modern scholars have objected, there are others left unmarked; and in some which are obelized there is nothing which strikes us as objectionable. These notes have been recorded for Σ, F, and B, and they are noticed in the critical notes of this edition under each section. They are the following:—

§§ 38—41, Σ, F, B. 49, Σ. 86, Σ, F, B. 88—92[4], Σ, F, B. 92 (end), Σ, F, B. 95[3], B. 97, Σ, F, B. 99[2, 5], Σ, F, B. 100, 101, Σ, F, B. 133, F, B; 133—134[2], Σ. 139, Σ, F, B. 143—147[9], F, B; 143—148[2], Σ. 189—192, F, B. 197[9]—199[4], F, B. 201, F, B. 205—207, Σ, F, B. 208[1–3], F. 210 (end), F. 217[1]—218[5], Σ, F, B. 218[8–10], Σ, F, B.

Stichometry in the Manuscripts.

Several manuscripts of Demosthenes, among them Σ, have numbers in Greek letters appended to most of the speeches, which have naturally been supposed to give the number of lines in each according to some accepted standard. Thus, after the oration on the Crown we find ΧΧΡΗΗΡΔΠΙΙΙ, i.e. 2768. These numbers were first explained by Christ[2], who found in Codex B, in the margin of various columns, a series of letters running from A to Ω and sometimes beginning the alphabet again. Similar letters had been found in the Bodleian MS. and Ven. II of Plato by Schurz, who saw that they marked intervals of 100 lines, to which the totals at the end of the speeches corresponded. Thus the 27 pages marked in Σ, ending with § 316[5], correspond to 2700 lines of some standard text, allowing 68 standard lines for the remaining 114 lines in Σ to the end of the speech, thus agreeing with the given number of lines 2768. The standard text must have been that of some manuscript in the Alexandrian Library, though it appears

[1] W. Christ: Die Atticusausgabe des Demosthenes, Munich, 1882 (also in Abhandlungen d. k. bayer. Akad. xvi. 3, p. 155), where the obelized passages in Σ and B are given (see pp. 26—30).

[2] Ibid. pp. 5—7.

that the standard copies of different orations had lines of somewhat different lengths.

If, however, we compare these standard divisions in the oration on the Crown in Σ, we find great variety in their length. For example, the three divisions A—Γ fill 494 lines in Σ, while the three Z—Θ fill 646 lines. But the public documents quoted in A—Γ fill only 28 lines, while those in Z—Θ fill 180 lines. If we deduct these, we have precisely the same number of lines, 466, in each, giving an average of about 155 lines of Σ for each of these standard pages. This has given a new and most convincing proof of the spuriousness of these documents. We shall find the same result in computing the standard lines of the Midiana. This general conclusion has been completely confirmed by calculations of Christ, Blass, and others, who have compared the lines of the Teubner text of various speeches of Demosthenes with the *στίχοι* of the standard manuscripts, both with and without the documents. I have attempted a more exact comparison between the actual lines of Σ and the standard divisions, both with and without the documents. In the oration on the Crown we have 4264 text-lines of Σ: deducting the 114 after the 27th division (Γ), we have 4150 lines, with an average of 153·7 lines of Σ for each standard page. I now give a table showing the result of the same process applied to the Midiana. Where letters are omitted in the margin of the manuscript (as between Θ and K), I give the number of lines between the two letters which we find.

Standard Divisions	Modern Sections	Lines of Σ	Lines of Doc.	Lines of text of Σ
1. To A.	§§ 1—11^2	176	31	145
2, 3. B, Γ.	11^2—33^1	327	20	307
4. Δ.	33^1—42^5	145		145
5. E.	42^5—55^9	212	64	148
6, 7. Z, H.	55^9—74^8	311		311
8—10. Θ—K.	74^8—107^2	523	50	473
11, 12. Λ, M.	107^2—129^7	359	55	304
13. N.	129^7—140^2	166		166
14—16. Ξ—Π.	140^2—173^7	483	21	462
17. P.	173^7—183^8	155		155
18, 19. Σ, T.	183^8—205^2	298		298
20. Υ.	205^2—216^3	158		158
21. Υ to end.	216^3—end.	162		162
21 standard pages		3475	241	3234

The average number of lines of Σ in the standard pages of the Midiana is thus 154, in substantial agreement with the average 153·7 found in the oration on the Crown. The number of standard lines given at the end of the Midiana in Σ, F, and B is XXIII, 2003, which must be a scribe's error for XXHI, 2101, or perhaps XXHIII (2103), as there are 21 standard pages with a few lines remaining.

For a fuller account of the results of recent studies in stichometry, with a discussion of the interesting results arrived at in regard to the oration against Aristocrates and the unsatisfactory conclusions as to the Third Philippic, I must refer to the larger edition of the oration on the Crown, in which will be found also a more complete account of the Codex Σ and its history. See also Drerup, Jahrbücher für classische Philologie, 24th Suppl. Band, 1898.

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The references are made to pages (except some of those to the Appendix), and relate chiefly to the notes.

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